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**KEVIN O'HANLON**

CERTIFIED, CIVIL APPELLATE

CERTIFIED, CIVIL TRIAL

**LESLIE MCCOLLOM**

CERTIFIED, CIVIL APPELLATE

CERTIFIED, LABOR AND EMPLOYMENT

TEXAS BOARD OF LEGAL SPECIALIZATION

**JUSTIN DEMERATH**

August 7, 2014

Local Government Assistance & Economic Analysis  
Texas Comptroller of Public Accounts  
P.O. Box 13528  
Austin, Texas 78711-3528

RE: Updated Application to the Iraan-Sheffield Independent School District from West Texas Solar 1 LLC

**(First Qualifying Year 2015; First Year of Value Limitation 2016)**

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Iraan-Sheffield Independent School District is notifying West Texas Solar 1 LLC of its intent to consider the application for appraised value limitation on qualified property should a positive certificate be issued by the Comptroller. The company has provided the schedules in both electronic format and paper copies. The electronic copy is identical to the hard copy that will be hand delivered. The Applicant has requested that the value limitation begin in the first full tax year after commercial operations, i.e., 2016.

The Applicant submitted the Application to the school district on May 12, 2014. The Board voted to accept the application on May 12, 2014. The application has been determined complete as of July 30, 2014. Please prepare the economic impact report.

New wage data is available prior to the determination of a complete application. The company has updated its application to reflect the most recent wage information.

Letter to Local Government Assistance & Economic Analysis Division  
August 7, 2014  
Page 2 of 2

The Applicant has requested that Tab 11 of the Application be kept confidential. In accordance with 34 TAC 9.1053, the information that is the subject of this request is segregated from the materials submitted contemporaneously with this application, that is, the proprietary commercial information regarding the competitive siting decisions for the possible project and proprietary information regarding the proposed layout of the project. The confidential materials are being submitted separately to protect against unintended disclosure. The public release of this information would reveal information which the company believes would cause the company to suffer substantial competitive harm and weaken its position in competitive siting decisions. In addition, the company views the proposed layout and location of the panels as a trade secret in which they have expended considerable resources. The public release of this information would reveal information which the company considers to be a trade secret.

A copy of the application will be submitted to the Pecos County Appraisal District.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin O'Hanlon', with a stylized flourish at the end.

Kevin O'Hanlon  
School District Consultant

Cc: Pecos County Appraisal District

West Texas Solar 1 LLC

Iraan-Sheffield Independent School District





# Application for Appraised Value Limitation on Qualified Property (Tax Code, Chapter 313, Subchapter B or C)

Economic Development  
and Analysis  
**Form 50-296-A**

**INSTRUCTIONS:** This application must be completed and filed with the school district. In order for an application to be processed, the governing body (school board) must elect to consider an application, but — by Comptroller rule — the school board may elect to consider the application only after the school district has received a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district must be forwarded within seven days to the Comptroller of Public Accounts.

If the school board elects to consider the application, the school district must:

- notify the Comptroller that the school board has elected to consider the application. This notice must include:
  - the date on which the school district received the application;
  - the date the school district determined that the application was complete;
  - the date the school board decided to consider the application; and
  - a request that the Comptroller prepare an economic impact analysis of the application;
- provide a copy of the notice to the appraisal district;
- must complete the sections of the application reserved for the school district and provide information required in the Comptroller rules located at 34 Texas Administrative Code (TAC) Section 9.1054; and
- forward the original hard copy of the completed application to the Comptroller in a three-ring binder with tabs, as indicated on page 9 of this application, separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

The governing body may, at its discretion, allow the applicant to supplement or amend the application after the filing date, subject to the restrictions in 34 TAC Chapter 9, Subchapter F.

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its website. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules. For more information, see guidelines on Comptroller's website.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. Pursuant to 9.1053(a)(1)(C), requested information shall be provided within 20 days of the date of the request. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, issue a certificate for a limitation on appraised value to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application before the 151st day after the application review start date (the date the application is finally determined to be complete), unless an extension is granted. The Comptroller and school district are authorized to request additional information from the applicant that is reasonably necessary to issue a certificate, complete the economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's website to find out more about the program at [www.texasahead.org/tax\\_programs/chapter313/](http://www.texasahead.org/tax_programs/chapter313/). There are links on this Web page to the Chapter 313 statute, rules, guidelines and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

## SECTION 1: School District Information

### 1. Authorized School District Representative

5-12-14

Date Application Received by District

Kevin

Allen

First Name

Last Name

Superintendent

Title

Iraan-Sheffield Independent School District

School District Name

100 S. Farr Street

Street Address

P.O. Box 486

Mailing Address

Iraan

TX

79744-0486

City

State

ZIP

432-639-2512 Ext 223

(432) 639-2501

Phone Number

Fax Number

kevin.allen@isisd.net

Mobile Number (optional)

Email Address

2. Does the district authorize the consultant to provide and obtain information related to this application? ☒ Yes ☐ No

The Economic Development and Analysis Division at the Texas Comptroller of Public Accounts provides information and resources for taxpayers and local taxing entities.

For more information, visit our website:  
[www.TexasAhead.org/tax\\_programs/chapter313/](http://www.TexasAhead.org/tax_programs/chapter313/)

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**SECTION 1: School District Information (continued)**

**3. Authorized School District Consultant (If Applicable)**

Dan	Casey
First Name	Last Name
Partner	
Title	
Moak, Casey & Associates	
Firm Name	
512-485-7878	512-485-7888
Phone Number	Fax Number
	dcasey@moakcasey.com
	Email Address

4. On what date did the district determine this application complete? ..... 7-30-14
5. Has the district determined that the electronic copy and hard copy are identical? ..... ☒ Yes ☐ No

**SECTION 2: Applicant Information**

**1. Authorized Company Representative (Applicant)**

Thomas	Houle
First Name	Last Name
Vice President	West Texas Solar 1 LLC
Title	Organization
2700 Via Fortuna, Suite 150	
Street Address	
same	
Mailing Address	
Austin	TX 78746
City	State ZIP
(512) 712-1927	(512) 712-1926
Phone Number	Fax Number
	thomas.houle@macquarie.com
	Business Email Address

2. Will a company official other than the authorized company representative be responsible for responding to future information requests? ..... ☐ Yes ☒ No

2a. If yes, please fill out contact information for that person.

June	Gray
First Name	Last Name
Vice President	Macquarie Capital (USA) Inc.
Title	Organization
2700 Via Fortuna, Suite 150	
Street Address	
2700 Via Fortuna, Suite 150	
Mailing Address	
Austin	TX 78746
City	State ZIP
512-712-1928	512-712-1926
Phone Number	Fax Number
	june.gray@macquarie.com
	Business Email Address

3. Does the applicant authorize the consultant to provide and obtain information related to this application? ..... ☒ Yes ☐ No



**SECTION 2: Applicant Information (continued)****4. Authorized Company Consultant (If Applicable)**

Clay	Butler
First Name	Last Name
Partner	
Title	
The Butler Firm, PLLC	
Firm Name	
512-992-0439	888-356-3151
Phone Number	Fax Number
butler@thebutlerfirm.com	
Business Email Address	

**SECTION 3: Fees and Payments**

1. Has an application fee been paid to the school district? ☒ Yes ☐ No

The total fee shall be paid at time of the application is submitted to the school district. Any fees not accompanying the original application shall be considered supplemental payments.

1a. If yes, attach in **Tab 2** proof of application fee paid to the school district.

For the purpose of questions 2 and 3, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.

2. Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code §313.027(i)? ☐ Yes ☒ No ☐ N/A
3. If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)? ☐ Yes ☒ No ☐ N/A

**SECTION 4: Business Applicant Information**

1. What is the legal name of the applicant under which this application is made? West Texas Solar 1 LLC
2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) 32052879940
3. List the NAICS code 221114
4. Is the applicant a party to any other pending or active Chapter 313 agreements? ☐ Yes ☒ No
- 4a. If yes, please list application number, name of school district and year of agreement

**SECTION 5: Applicant Business Structure**

1. Identify Business Organization of Applicant (corporation, limited liability corporation, etc) Limited Liability Corporation
2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? ☒ Yes ☐ No
- 2a. If yes, attach in **Tab 3** a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.
3. Is the applicant current on all tax payments due to the State of Texas? ☒ Yes ☐ No
4. Are all applicant members of the combined group current on all tax payments due to the State of Texas? ☒ Yes ☐ No ☐ N/A
5. If the answer to question 3 or 4 is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (If necessary, attach explanation in **Tab 3**)



## Application for Appraised Value Limitation on Qualified Property

### SECTION 6: Eligibility Under Tax Code Chapter 313.024

1. Are you an entity subject to the tax under Tax Code, Chapter 171? ☒ Yes ☐ No
2. The property will be used for one of the following activities:
  - (1) manufacturing ☐ Yes ☒ No
  - (2) research and development ☐ Yes ☒ No
  - (3) a clean coal project, as defined by Section 5.001, Water Code ☐ Yes ☒ No
  - (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code ☐ Yes ☒ No
  - (5) renewable energy electric generation ☒ Yes ☐ No
  - (6) electric power generation using integrated gasification combined cycle technology ☐ Yes ☒ No
  - (7) nuclear electric power generation ☐ Yes ☒ No
  - (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) ☐ Yes ☒ No
  - (9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051 ☐ Yes ☒ No
3. Are you requesting that any of the land be classified as qualified investment? ☐ Yes ☒ No
4. Will any of the proposed qualified investment be leased under a capitalized lease? ☐ Yes ☒ No
5. Will any of the proposed qualified investment be leased under an operating lease? ☐ Yes ☒ No
6. Are you including property that is owned by a person other than the applicant? ☐ Yes ☒ No
7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? ☐ Yes ☒ No

### SECTION 7: Project Description

1. In **Tab 4**, attach a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.
2. Check the project characteristics that apply to the proposed project:
 

<input type="checkbox"/> Land has no existing improvements	<input checked="" type="checkbox"/> Land has existing improvements ( <i>complete Section 13</i> )
<input type="checkbox"/> Expansion of existing operation on the land ( <i>complete Section 13</i> )	<input type="checkbox"/> Relocation within Texas

### SECTION 8: Limitation as Determining Factor

1. Does the applicant currently own the land on which the proposed project will occur? ☐ Yes ☒ No
2. Has the applicant entered into any agreements or contracts for work to be performed related to the proposed project? ☐ Yes ☒ No
3. Does the applicant have current business activities at the location where the proposed project will occur? ☐ Yes ☒ No
4. Has the applicant made public statements in SEC filings or other official documents regarding its intentions regarding the proposed project location? ☐ Yes ☒ No
5. Has the applicant received any local or state permits for activities on the proposed project site? ☐ Yes ☒ No
6. Has the applicant received commitments for state or local incentives for activities at the proposed project site? ☐ Yes ☒ No
7. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas? ☐ Yes ☒ No
8. Has the applicant considered or is the applicant considering other locations not in Texas for the proposed project? ☒ Yes ☐ No
9. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities? ☐ Yes ☒ No
10. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project? ☐ Yes ☒ No

If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

For more information, visit our website: [www.TexasAhead.org/tax\\_programs/chapter313/](http://www.TexasAhead.org/tax_programs/chapter313/)



# Application for Appraised Value Limitation on Qualified Property



## SECTION 9: Projected Timeline

1. Application approval by school board ..... December 2014
2. Beginning of qualifying time period ..... January 1, 2015
3. First year of limitation ..... January 1, 2016
4. Begin hiring new employees ..... Q1 2016
5. Commencement of commercial operations ..... Q1 2016
6. Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)? ..... ☒ Yes ☐ No  
**Note:** Improvements made before that time may not be considered qualified property.
7. When do you anticipate the new buildings or improvements will be placed in service? ..... Q1 2016

## SECTION 10: The Property

1. Identify county or counties in which the proposed project will be located ..... Pecos County, Texas
2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property ..... Pecos County Appraisal District
3. Will this CAD be acting on behalf of another CAD to appraise this property? ..... ☐ Yes ☒ No
4. List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:  

County: Pecos County   100%   0.6999 <small>(Name, tax rate and percent of project)</small>	City: N/A <small>(Name, tax rate and percent of project)</small>
Hospital District: Iraan General Hosp.   100%   0.1896 <small>(Name, tax rate and percent of project)</small>	Water District: Middle Pecos Groundwater   100%   0.0250 <small>(Name, tax rate and percent of project)</small>
Other (describe): Midland College   100%   0.0255 <small>(Name, tax rate and percent of project)</small>	Other (describe): N/A <small>(Name, tax rate and percent of project)</small>
5. Is the project located entirely within the ISD listed in Section 1? ..... ☒ Yes ☐ No  
5a. If no, attach in **Tab 6** additional information on the project scope and size to assist in the economic analysis.
6. Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)? ..... ☐ Yes ☒ No  
6a. If yes, attach in **Tab 6** supporting documentation from the Office of the Governor.

## SECTION 11: Investment

**NOTE:** The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as Subchapter B or Subchapter C, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's website at [www.texasahead.org/tax\\_programs/chapter313/](http://www.texasahead.org/tax_programs/chapter313/).

1. At the time of application, what is the estimated minimum qualified investment required for this school district? ..... 20,000,000.00
2. What is the amount of appraised value limitation for which you are applying? ..... 25,000,000.00  
**Note:** The property value limitation amount is based on property values available at the time of application and may change prior to the execution of any final agreement.
3. Does the qualified investment meet the requirements of Tax Code §313.021(1)? ..... ☒ Yes ☐ No
4. Attach a description of the qualified investment [See §313.021(1).] The description must include:
  - a. a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (**Tab 7**);
  - b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your minimum qualified investment (**Tab 7**); and
  - c. a detailed map of the qualified investment showing location of new buildings or new improvements with vicinity map (**Tab 11**).
5. Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or §313.053 for Subchapter C school districts) for the relevant school district category during the qualifying time period? ..... ☒ Yes ☐ No



## SECTION 12: Qualified Property

1. Attach a detailed description of the qualified property. [See §313.021(2)] (If qualified investment describes qualified property exactly, you may skip items a, b and c below.) The description must include:
  - 1a. a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (Tab 8);
  - 1b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your qualified property (Tab 8); and
  - 1c. a map of the qualified property showing location of new buildings or new improvements with vicinity map (Tab 11).
2. Is the land upon which the new buildings or new improvements will be built part of the qualified property described by §313.021(2)(A)? ☐ Yes ☒ No
  - 2a. If yes, attach complete documentation including:
    - a. legal description of the land (Tab 9);
    - b. each existing appraisal parcel number of the land on which the new improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property (Tab 9);
    - c. owner (Tab 9);
    - d. the current taxable value of the land. Attach estimate if land is part of larger parcel (Tab 9); and
    - e. a detailed map showing the location of the land with vicinity map (Tab 11).
3. Is the land on which you propose new construction or new improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303? ☒ Yes ☐ No
  - 3a. If yes, attach the applicable supporting documentation:
    - a. evidence that the area qualifies as a enterprise zone as defined by the Governor's Office (Tab 16);
    - b. legal description of reinvestment zone (Tab 16);
    - c. order, resolution or ordinance establishing the reinvestment zone (Tab 16);
    - d. guidelines and criteria for creating the zone (Tab 16); and
    - e. a map of the reinvestment zone or enterprise zone boundaries with vicinity map (Tab 11)
  - 3b. If no, submit detailed description of proposed reinvestment zone or enterprise zone with a map indicating the boundaries of the zone on which you propose new construction or new improvements to the Comptroller's office within 30 days of the application date. What is the anticipated date on which you will submit final proof of a reinvestment zone or enterprise zone? \_\_\_\_\_

## SECTION 13: Information on Property Not Eligible to Become Qualified Property

1. In Tab 10, attach a specific and detailed description of all **existing property**. This includes buildings and improvements existing as of the application review start date (the date the application is determined to be complete by the Comptroller). The description must provide sufficient detail to locate all existing property on the land that will be subject to the agreement and distinguish existing property from future proposed property.
2. In Tab 10, attach a specific and detailed description of all **proposed new property that will not become new improvements** as defined by TAC 9.1051. This includes proposed property that: functionally replaces existing or demolished/removed property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property; or is otherwise ineligible to become qualified property. The description must provide sufficient detail to distinguish existing property (question 1) and all proposed new property that cannot become qualified property from proposed qualified property that will be subject to the agreement (as described in Section 12 of this application).
3. For the property not eligible to become qualified property listed in response to questions 1 and 2 of this section, provide the following supporting information in Tab 10:
  - a. maps and/or detailed site plan;
  - b. surveys;
  - c. appraisal district values and parcel numbers;
  - d. inventory lists;
  - e. existing and proposed property lists;
  - f. model and serial numbers of existing property; or
  - g. other information of sufficient detail and description.
4. Total estimated market value of existing property (that property described in response to question 1): ..... \$ 110,530.00  
     \*\*improvements completely unrelated to proposed solar farm
5. In Tab 10, include an appraisal value by the CAD of all the buildings and improvements existing as of a date within 15 days of the date the application is received by the school district.
6. Total estimated market value of proposed property not eligible to become qualified property  
     (that property described in response to question 2): ..... \$ 0.00

**Note:** Investment for the property listed in question 2 may count towards qualified investment in Column C of Schedules A-1 and A-2, if it meets the requirements of 313.021(1). Such property cannot become qualified property on Schedule B.



# Application for Appraised Value Limitation on Qualified Property



## SECTION 14: Wage and Employment Information

1. What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? ..... 0
  2. What is the last complete calendar quarter before application review start date:
 

☒ First Quarter
 ☒ Second Quarter
 ☐ Third Quarter
 ☐ Fourth Quarter of

2014  
(year)
  3. What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the Texas Workforce Commission (TWC)? ..... 0
- Note:** For job definitions see TAC §9.1051 and Tax Code §313.021(3).
4. What is the number of new qualifying jobs you are committing to create? ..... 2
  5. What is the number of new non-qualifying jobs you are estimating you will create? ..... 0
  6. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? ..... ☒ Yes ☐ No
    - 6a. If yes, attach evidence in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
  7. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the TWC website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22).
    - a. Average weekly wage for all jobs (all industries) in the county is ..... 83,150.00
    - b. 110% of the average weekly wage for manufacturing jobs in the county is ..... 688.50
    - c. 110% of the average weekly wage for manufacturing jobs in the region is ..... 1,007.16
  8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? ..... ☒ §313.021(5)(A) or ☐ §313.021(5)(B)
  9. What is the minimum required annual wage for each qualifying job based on the qualified property? ..... 35,802.00
  10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... 37,000.00
  11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? ..... ☒ Yes ☐ No
  12. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.024(d-2)? ..... ☐ Yes ☒ No
    - 12a. If yes, attach in **Tab 12** supporting documentation from the TWC, pursuant to §313.021(3)(F).
  13. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? ..... ☐ Yes ☒ No
    - 13a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

## SECTION 15: Economic Impact

1. Complete and attach Schedules A1, A2, B, C, and D in **Tab 14**. Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
2. Attach an Economic Impact Analysis, if supplied by other than the Comptroller's Office, in **Tab 15**. (not required)
3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in **Tab 15**.

# Application for Appraised Value Limitation on Qualified Property

## SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in **Tab 17**. **NOTE:** If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

### 1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

print  
here

Kevin Allen  
Print Name (Authorized School District Representative)

Superintendent  
Title

sign  
here

[Signature]  
Signature (Authorized School District Representative)

7-28-14  
Date

### 2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print  
here

Michael Allison  
Print Name (Authorized Company Representative (Applicant))

Vice President  
Title

sign  
here

[Signature]  
Signature (Authorized Company Representative (Applicant))

5/9/14  
Date

RICHARD A. KEEFE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02KE6124107  
Qualified in Westchester County  
My Commission Expires March 21, 2017

(Notary Seal)

GIVEN under my hand and seal of office this, the

9th day of May 2014

Richard A. Keefe  
Notary Public in and for the State of Texas New York

My Commission expires: March 21 2017

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.



## APPLICATION TAB ORDER FOR REQUESTED ATTACHMENTS

TAB	ATTACHMENT
1	Pages 1 through 11 of Application
2	Proof of Payment of Application Fee
3	Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation <i>(if applicable)</i>
4	Detailed description of the project
5	Documentation to assist in determining if limitation is a determining factor
6	Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor <i>(if applicable)</i>
7	Description of Qualified Investment
8	Description of Qualified Property
9	Description of Land
10	Description of all property not eligible to become qualified property <i>(if applicable)</i>
11	<p>Maps that clearly show:</p> <ul style="list-style-type: none"> <li>a) Project vicinity</li> <li>b) Qualified investment including location of new buildings or new improvements</li> <li>c) Qualified property including location of new buildings or new improvements</li> <li>d) Existing property</li> <li>e) Land location within vicinity map</li> <li>f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size</li> </ul> <p><b>Note:</b> Electronic maps should be high resolution files. Include map legends/markers.</p>
12	Request for Waiver of Job Creation Requirement and supporting information <i>(if applicable)</i>
13	Calculation of three possible wage requirements with TWC documentation
14	Schedules A1, A2, B, C and D completed and signed Economic Impact <i>(if applicable)</i>
15	Economic Impact Analysis, other payments made in the state or other economic information <i>(if applicable)</i>
16	<p>Description of Reinvestment or Enterprise Zone, including:</p> <ul style="list-style-type: none"> <li>a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office</li> <li>b) legal description of reinvestment zone*</li> <li>c) order, resolution or ordinance establishing the reinvestment zone*</li> <li>d) guidelines and criteria for creating the zone*</li> </ul> <p><b>* To be submitted with application or before date of final application approval by school board</b></p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative <i>(applicant)</i>

Proof of payment of filing fee received by the  
Comptroller of Public Accounts per TAC Rule  
§9.1054 (b)(5)

*(Page Inserted by Office of Texas Comptroller of Public  
Accounts)*



**TAB 3**

***Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation***

West Texas Solar is a new entity. It will file its initial franchise tax report as part of the affiliate group on the attached list.

## Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

11337899121

2013

MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. AVENAL POWER CENTER LLC	■ 32003996470	■ <input checked="" type="checkbox"/>
2. BIG SANDY CREEK WIND LLC	■ 32038627793	■ <input type="checkbox"/>
3. CANADIAN BREAKS LLC	■ 32038742105	■ <input type="checkbox"/>
4. COMMERCE AND INDUSTRY BROKERAGE INC.	■ 32041479505	■ <input checked="" type="checkbox"/>
5. DELAWARE ALTERNATIVE STRATEGIES	■ 263816229	■ <input checked="" type="checkbox"/>
6. DELAWARE ASSET ADVISERS	■ 412183382	■ <input checked="" type="checkbox"/>
7. DELAWARE CAPITAL MANAGEMENT	■ 233061021	■ <input type="checkbox"/>
8. DELAWARE CAPITAL MANAGEMENT ADVISERS, INC.	■ 271291359	■ <input checked="" type="checkbox"/>
9. DELAWARE DISTRIBUTORS INC	■ 232226487	■ <input type="checkbox"/>
10. DELAWARE GENERAL MANAGEMENT INC	■ 134090543	■ <input checked="" type="checkbox"/>
11. DELAWARE GLOBAL OPPORTUNITIES PARTNERS, INC.	■ 272437046	■ <input checked="" type="checkbox"/>
12. Delaware Investment Advisers	■ 232859590	■ <input type="checkbox"/>
13. DELAWARE INVESTMENTS US INC	■ 411533771	■ <input checked="" type="checkbox"/>
14. DELAWARE LINCOLN CASH MANAGEMENT	■ 233061025	■ <input checked="" type="checkbox"/>
15. DELAWARE MANAGEMENT BUSINESS TRUST	■ 133465352	■ <input checked="" type="checkbox"/>
16. DELAWARE MANAGEMENT COMPANY	■ 232859589	■ <input checked="" type="checkbox"/>
17. DELAWARE MANAGEMENT COMPANY INC	■ 133465352	■ <input type="checkbox"/>
18. DELAWARE MANAGEMENT HOLDINGS INC	■ 232693133	■ <input checked="" type="checkbox"/>
19. DELAWARE SERVICE COMPANY INC	■ 133465338	■ <input checked="" type="checkbox"/>
20. DELAWARE STRUCTURED ASSET PARTNERS INC	■ 264529419	■ <input checked="" type="checkbox"/>
21. DELAWARE MANAGEMENT TRUST COMPANY	■ 232601407	■ <input checked="" type="checkbox"/>

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Do not file this form when requesting a second extension.

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## Texas Franchise Tax Extension Affiliate List

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■ Report year

Reporting entity taxpayer name

11337899121

2013

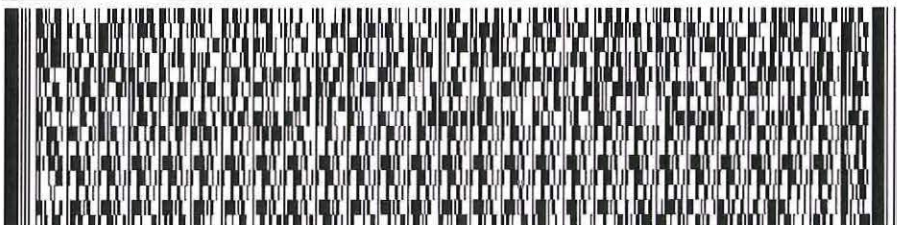
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. DMH CORP	■ 133465365	■ <input checked="" type="checkbox"/>
2. FAS 1 LLC	■ 202384759	■ <input checked="" type="checkbox"/>
3. FLORIDA 2010 I LLC	■ 272669030	■ <input checked="" type="checkbox"/>
4. FOUR CORNERS CAPITAL MANAGEMENT LLC	■ 19548811108	■ <input checked="" type="checkbox"/>
5. FOX-PITT KELTON COCHRAN CARONIA WALLER (USA)	■ 133789912	■ <input checked="" type="checkbox"/>
6. FOX-PITT KELTON COCHRAN CARONIA WALLER LLC	■ 133789912	■ <input checked="" type="checkbox"/>
7. FREMANTLE ENERGY HOLDINGS LLC	■ 12056004653	■ <input checked="" type="checkbox"/>
8. FREMANTLE ENERGY LLC	■ 12056086163	■ <input type="checkbox"/>
9. FREMANTLE WIND HOLDINGS INC	■ 12023847598	■ <input type="checkbox"/>
10. GARRISON ENERGY CENTER LLC	■ 32041688220	■ <input checked="" type="checkbox"/>
11. HIGH LONESOME WIND LLC	■ 12607765216	■ <input type="checkbox"/>
12. INTERNATIONAL AG INSURANCE SOLUTIONS LLC	■ 205913622	■ <input checked="" type="checkbox"/>
13. KEB A ENERGY LLC	■ 32040702436	■ <input checked="" type="checkbox"/>
14. Macquarie Grand Parkway Holdco LLC	■ 133789912	■ <input checked="" type="checkbox"/>
15. MACQUARIE 55 NINTH ST INC.	■ 270711414	■ <input checked="" type="checkbox"/>
16. MACQUARIE ACQUISITION HOLDINGS LLC	■ 133789912	■ <input checked="" type="checkbox"/>
17. MACQUARIE AEROSPACE INC	■ 272669479	■ <input type="checkbox"/>
18. MACQUARIE AFFILIATED MANAGERS	■ 262103542	■ <input checked="" type="checkbox"/>
19. MACQUARIE AFFILIATED MANAGERS (USA) INC	■ 271564084	■ <input checked="" type="checkbox"/>
20. MACQUARIE ALLEGIANCE CAPITAL LLC	■ 10106307845	■ <input type="checkbox"/>
21. MACQUARIE AMERICAS CORP.	■ 11341840426	■ <input type="checkbox"/>

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## Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number

■ Report year

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11337899121

2013

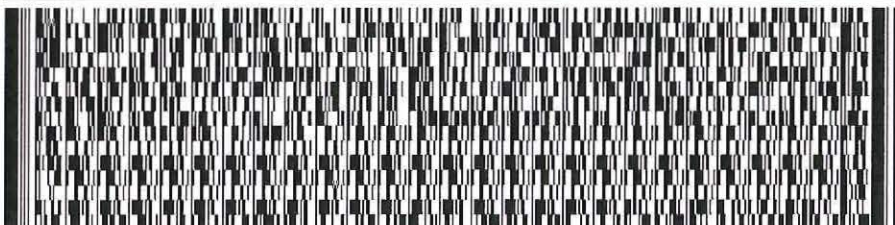
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. MACQUARIE ARGENTA INC.	■ 270711531	■ <input checked="" type="checkbox"/>
2. MACQUARIE ASSET MANAGEMENT INC	■ 263263254	■ <input type="checkbox"/>
3. MACQUARIE AUTOPARK INC	■ 270201537	■ <input checked="" type="checkbox"/>
4. MACQUARIE BARNETT LLC	■ 12059136221	■ <input checked="" type="checkbox"/>
5. MACQUARIE BIOMASS LLC	■ 32040109137	■ <input checked="" type="checkbox"/>
6. MACQUARIE CAPITAL FUNDING LLC	■ 133789912	■ <input checked="" type="checkbox"/>
7. MACQUARIE CAPITAL INVESTMENT MANAGEMENT INC	■ 263490931	■ <input checked="" type="checkbox"/>
8. Macquarie Capital Investment Management, LLC.	■ 432082900	■ <input checked="" type="checkbox"/>
9. MACQUARIE CAPITAL US ACQUISITIONS LLC	■ 133789912	■ <input checked="" type="checkbox"/>
10. MACQUARIE CAPITAL USA INC	■ 32019890790	■ <input type="checkbox"/>
11. MACQUARIE CAPITOLA VILLAS INC.	■ 270201348	■ <input checked="" type="checkbox"/>
12. MACQUARIE COMMODITIES (USA) INC.	■ 32042109671	■ <input type="checkbox"/>
13. MACQUARIE COMMODITIES FACTORING LLC	■ 205913559	■ <input checked="" type="checkbox"/>
14. MACQUARIE COMMODITIES FUNDING (USA) LLC	■ 205913559	■ <input checked="" type="checkbox"/>
15. MACQUARIE COMMODITIES HOLDINGS (USA) LLC	■ 205913559	■ <input checked="" type="checkbox"/>
16. MACQUARIE COMMODITIES TRADING, INC	■ 510566317	■ <input checked="" type="checkbox"/>
17. MACQUARIE CORIOLIS HOLDINGS INC.	■ 200172706	■ <input checked="" type="checkbox"/>
18. MACQUARIE CORP. AND ASSET FINANCE CONSULTING	■ 32038405661	■ <input checked="" type="checkbox"/>
19. MACQUARIE CORPORATE AND ASSET FINANCE HOLDING	■ 263769039	■ <input checked="" type="checkbox"/>
20. MACQUARIE CORPORATE AND ASSET FUNDING INC	■ 263769367	■ <input type="checkbox"/>
21. MACQUARIE COTTON INTERNATIONAL INC.	■ 12015361780	■ <input checked="" type="checkbox"/>

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## Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

11337899121

2013

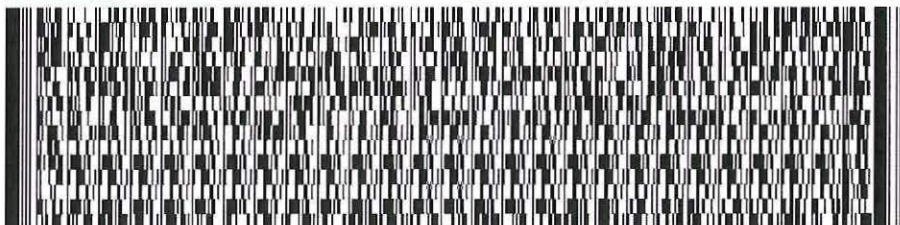
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. Macquarie Credit Investment Management Inc	■ 900797831	■ <input checked="" type="checkbox"/>
2. MACQUARIE CROP PARTNERS GP, LLC	■ 272279644	■ <input checked="" type="checkbox"/>
3. MACQUARIE DDI (USA) INC	■ 273815985	■ <input checked="" type="checkbox"/>
4. Macquarie DDI STA (USA) Inc.	■ 451622999	■ <input checked="" type="checkbox"/>
5. MACQUARIE DYNAMIC MANAGEMENT USA INC.	■ 205962618	■ <input checked="" type="checkbox"/>
6. MACQUARIE ELECTRONICS CONSULTING INC.	■ 562361134	■ <input checked="" type="checkbox"/>
7. MACQUARIE ELECTRONICS USA INC	■ 15420775551	■ <input type="checkbox"/>
8. MACQUARIE ENERGY ASSETS LLC	■ 32040109103	■ <input checked="" type="checkbox"/>
9. MACQUARIE ENERGY INVESTMENTS LLC	■ 262836378	■ <input checked="" type="checkbox"/>
10. MACQUARIE ENERGY LLC	■ 32034252356	■ <input type="checkbox"/>
11. MACQUARIE ENERGY NORTH AMERICA TRADING INC	■ 12036903222	■ <input type="checkbox"/>
12. MACQUARIE EQUIPMENT FINANCE HOLDINGS INC	■ 12614126063	■ <input checked="" type="checkbox"/>
13. MACQUARIE EQUIPMENT FINANCE LLC	■ 12614769870	■ <input checked="" type="checkbox"/>
14. MACQUARIE EQUIPMENT FUNDING LLC	■ 12614770597	■ <input checked="" type="checkbox"/>
15. MACQUARIE EQUIPMENT LEASING FUND TWO LLC	■ 12632915430	■ <input checked="" type="checkbox"/>
16. MACQUARIE ESPRIT INC	■ 270743007	■ <input checked="" type="checkbox"/>
17. MACQUARIE FASTTRACKS HOLDINGS LLC	■ 133789912	■ <input checked="" type="checkbox"/>
18. MACQUARIE FG HOLDINGS INC.	■ 262864605	■ <input checked="" type="checkbox"/>
19. MACQUARIE FICC (UK) LIMITED	■ 205913559	■ <input checked="" type="checkbox"/>
20. Macquarie Funding Holdings, Inc.	■ 12059135595	■ <input type="checkbox"/>
21. MACQUARIE FUNDS MANAGEMENT (USA) INC.	■ 203783039	■ <input type="checkbox"/>

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## Texas Comptroller Official Use Only



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## Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

11337899121

2013

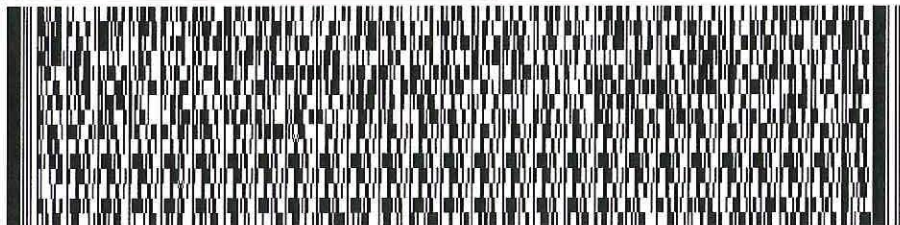
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. MACQUARIE FUTURES (USA) LLC	204193486	<input checked="" type="checkbox"/>
2. MACQUARIE GENERATION MANAGEMENT I	273311627	<input checked="" type="checkbox"/>
3. MACQUARIE GENERATION MANAGEMENT II, INC.	273314449	<input checked="" type="checkbox"/>
4. MACQUARIE GLOBAL GROWTH ADVISORS LLC	208983572	<input type="checkbox"/>
5. MACQUARIE GLOBAL GROWTH MANAGERS LLC	208983572	<input type="checkbox"/>
6. MACQUARIE GLOBAL INCOME ADVISORS LLC	208983572	<input type="checkbox"/>
7. MACQUARIE GLOBAL INCOME MANAGERS LLC	208983572	<input type="checkbox"/>
8. MACQUARIE GLOBAL OPPORTUNITIES PARTNERS LLC	208983572	<input checked="" type="checkbox"/>
9. MACQUARIE HITIP MANAGEMENT I	273314559	<input checked="" type="checkbox"/>
10. MACQUARIE INFRASTRUCTURE & REAL ASSETS INC	12089835727	<input type="checkbox"/>
11. MACQUARIE INFRASTRUCTURE MANAGEMENT (USA) INC	12006433549	<input checked="" type="checkbox"/>
12. MACQUARIE INFRASTRUCTURE PARTNERS II GP LLC	208983572	<input checked="" type="checkbox"/>
13. MACQUARIE INFRASTRUCTURE PARTNERS INC	204166306	<input checked="" type="checkbox"/>
14. MACQUARIE INFRASTRUCTURE PARTNERS US GP LLC	208983572	<input checked="" type="checkbox"/>
15. Macquarie Investments US Inc	452856257	<input checked="" type="checkbox"/>
16. Macquarie Investments LLC	205913622	<input checked="" type="checkbox"/>
17. MACQUARIE LG BIOMASS LLC	32040109111	<input checked="" type="checkbox"/>
18. MACQUARIE MDT HOLDINGS INC	201876656	<input checked="" type="checkbox"/>
19. MACQUARIE MDT HOLDINGS TRUST	134055193	<input checked="" type="checkbox"/>
20. MACQUARIE MICROSTAR HOLDINGS INC	12620415716	<input checked="" type="checkbox"/>
21. MACQUARIE MLH LLC	133789912	<input checked="" type="checkbox"/>

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## Texas Franchise Tax Extension Affiliate List

■ Tcode 13298

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

11337899121

2013

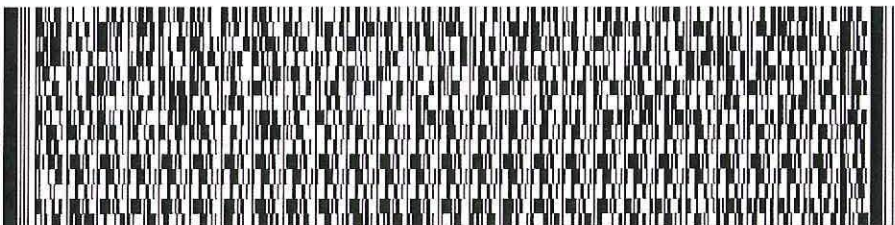
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. MACQUARIE MMT 1 LLC	133789912	<input checked="" type="checkbox"/>
2. MACQUARIE MORTGAGES (USA) INC.	12238404516	<input checked="" type="checkbox"/>
3. MACQUARIE MORTGAGES FUNDING TRUST 2007-1	223840451	<input checked="" type="checkbox"/>
4. MACQUARIE NB US HOLDINGS INC	263834772	<input checked="" type="checkbox"/>
5. MACQUARIE NE HOLDINGS INC	263490855	<input checked="" type="checkbox"/>
6. MACQUARIE NM MANAGEMENT I	273311477	<input checked="" type="checkbox"/>
7. MACQUARIE NM MANAGEMENT II	273311556	<input checked="" type="checkbox"/>
8. MACQUARIE OIL AND GAS HOLDINGS INC	205426915	<input checked="" type="checkbox"/>
9. MACQUARIE PA TAP MANAGEMENT I	273314672	<input checked="" type="checkbox"/>
10. MACQUARIE PIONEER BAKERY INC.	270376191	<input checked="" type="checkbox"/>
11. MACQUARIE PLATINUM KATELLA INC	270838084	<input checked="" type="checkbox"/>
12. MACQUARIE PMI MANAGER LLC	133789912	<input checked="" type="checkbox"/>
13. MACQUARIE POINSETTIA INC	271560871	<input checked="" type="checkbox"/>
14. MACQUARIE PORTS INC	204044600	<input checked="" type="checkbox"/>
15. MACQUARIE POWER, LLC	32041494033	<input checked="" type="checkbox"/>
16. MACQUARIE RAIL INC	12036093628	<input type="checkbox"/>
17. MACQUARIE RAIL MANAGEMENT LLC	203609362	<input type="checkbox"/>
18. MACQUARIE REAL ESTATE ADVISORY SERVICES LLC	208983572	<input type="checkbox"/>
19. MACQUARIE REAL ESTATE FINANCE CONSULTING INC.	223837771	<input checked="" type="checkbox"/>
20. MACQUARIE REAL ESTATE FINANCE INC.	223845767	<input checked="" type="checkbox"/>
21. MACQUARIE REAL ESTATE HOLDINGS INC.	205331405	<input checked="" type="checkbox"/>

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## Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number

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Reporting entity taxpayer name

11337899121

2013

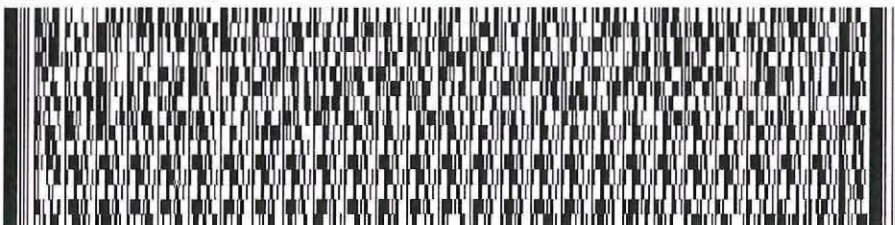
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. MACQUARIE REAL ESTATE INC.	■ 32046784081	■ <input checked="" type="checkbox"/>
2. MACQUARIE REAL ESTATE LATAM ADVISORS LLC	■ 134055193	■ <input checked="" type="checkbox"/>
3. MACQUARIE REAL ESTATE TELECOM HOLDINGS LLC	■ 12087455726	■ <input checked="" type="checkbox"/>
4. MACQUARIE RENEWABLE ENERGY INC	■ 261386300	■ <input checked="" type="checkbox"/>
5. MACQUARIE SECURITIZATION USA LLC	■ 223840451	■ <input checked="" type="checkbox"/>
6. Macquarie Services (USA) Partners	■ 273610899	■ <input checked="" type="checkbox"/>
7. Macquarie Sierra Investment Holdings Inc.	■ 454703789	■ <input checked="" type="checkbox"/>
8. MACQUARIE TCG (USA) LLC	■ 205913559	■ <input checked="" type="checkbox"/>
9. MACQUARIE TOWNSEND INC	■ 271215532	■ <input checked="" type="checkbox"/>
10. MACQUARIE TRADING HOLDINGS INC.	■ 263372952	■ <input checked="" type="checkbox"/>
11. MACQUARIE TRADING SERVICES INC.	■ 32043530917	■ <input type="checkbox"/>
12. Macquarie US Trading LLC	■ 452856257	■ <input checked="" type="checkbox"/>
13. MACQUARIE VERIDIAN COVE INC.	■ 262274361	■ <input checked="" type="checkbox"/>
14. MACQUARIE WATERFRONT PEARL INC.	■ 270201039	■ <input checked="" type="checkbox"/>
15. MACQUARIE, INC.	■ 32046784040	■ <input type="checkbox"/>
16. MCAF HOLDCO INC	■ 272669030	■ <input checked="" type="checkbox"/>
17. MCP SOLAR ASSETS PARTNERS I LLC	■ 261386300	■ <input checked="" type="checkbox"/>
18. MCP SOLAR ASSETS PARTNERS II LLC	■ 261386300	■ <input checked="" type="checkbox"/>
19. MEDALLIST DEVELOPMENTS INC	■ 650906439	■ <input checked="" type="checkbox"/>
20. MEDALLIST HOLDINGS INC	■ 650906438	■ <input checked="" type="checkbox"/>
21. MEDALLIST LA QUINTA NO. 1, INC.	■ 141878891	■ <input checked="" type="checkbox"/>

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## Texas Franchise Tax Extension Affiliate List

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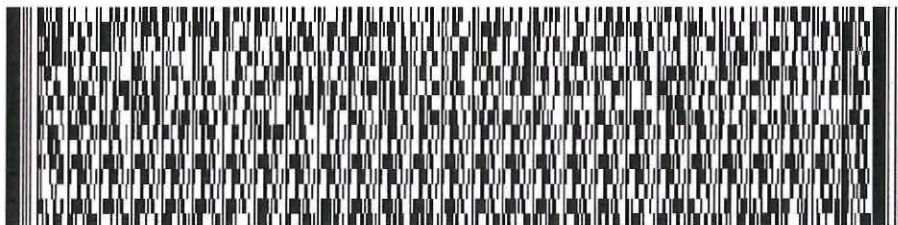
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. MEDALLIST LA QUINTA NO. 2, INC.	■ 046896574	■ <input checked="" type="checkbox"/>
2. MEDALLIST LA QUINTA NO. 3, INC.	■ 562379446	■ <input checked="" type="checkbox"/>
3. MEDALLIST NORMAN ESTATES II INVESTORS, INC.	■ 943346642	■ <input checked="" type="checkbox"/>
4. MEDALLIST OPERATIONS INC	■ 16509064404	■ <input checked="" type="checkbox"/>
5. MEDALLIST REALTY LLC	■ 650906439	■ <input checked="" type="checkbox"/>
6. MEDALLIST SAVANNAH LLC	■ 650906439	■ <input checked="" type="checkbox"/>
7. MEDALLIST TENNESSEE NATIONAL LLC	■ 650906439	■ <input checked="" type="checkbox"/>
8. MEF US HOLDINGS INC	■ 12638347026	■ <input type="checkbox"/>
9. MGOP FEEDER I GP LLC	■ 208983572	■ <input checked="" type="checkbox"/>
10. MIAC HOLDINGS (US) INC.	■ 264389136	■ <input checked="" type="checkbox"/>
11. MIAC SERVICES INC.	■ 264389305	■ <input checked="" type="checkbox"/>
12. MIF US INVESTMENT HOLDINGS LLC	■ 208723490	■ <input checked="" type="checkbox"/>
13. MIHI LLC	■ 133789912	■ <input checked="" type="checkbox"/>
14. MMUSA WAREHOUSE NO 1	■ 133789912	■ <input type="checkbox"/>
15. MP MANAGEMENT LLC	■ 134142389	■ <input checked="" type="checkbox"/>
16. MUNICIPAL AND INFRASTRUCTURE ASSURANCE	■ 262999764	■ <input checked="" type="checkbox"/>
17. NEW TRISTONE LLC	■ 133789912	■ <input checked="" type="checkbox"/>
18. NORMAN ESTATES INTERNATIONAL, INC.	■ 650906441	■ <input checked="" type="checkbox"/>
19. NORMAN ESTATES RETREATS, INC.	■ 650987302	■ <input checked="" type="checkbox"/>
20. PADUA MG HOLDINGS LLC	■ 133789912	■ <input checked="" type="checkbox"/>
21. PETRO TRADELINKS INC	■ 17526149822	■ <input checked="" type="checkbox"/>

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## Texas Franchise Tax Extension Affiliate List

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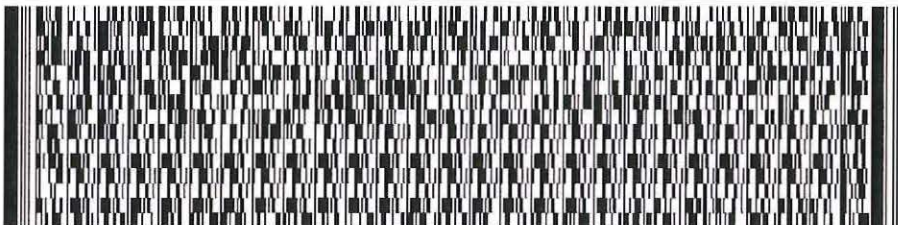
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. PRESIDIO PARTNERS LLC	133789912	<input checked="" type="checkbox"/>
2. RED HOLLOW WIND LLC	32038742089	<input type="checkbox"/>
3. Regal Capital Advisors LLC	133789912	<input checked="" type="checkbox"/>
4. Regal Capital Advisors LLC	133789912	<input checked="" type="checkbox"/>
5. Regal Capital Group LLC	133789912	<input checked="" type="checkbox"/>
6. RELATIONAL TECHNOLOGY SERVICES INC	13112101053	<input type="checkbox"/>
7. RETIREMENT FINANCIAL SERVICES INC	12328281618	<input checked="" type="checkbox"/>
8. SHELBY ENERGY HOLDINGS LLC	32040468509	<input checked="" type="checkbox"/>
9. Specialty Finance Holdings Inc.	454286796	<input type="checkbox"/>
10. TRISTONE CAPITAL LLC	32016319835	<input checked="" type="checkbox"/>
11. ZODIAC ENERGY HOLDINGS LLC	205913622	<input checked="" type="checkbox"/>
12. 1135-1139 WESTMINSTER INC.	264245820	<input type="checkbox"/>
13. FIRST NORMAN ESTATES SYNDICATE	651121600	<input checked="" type="checkbox"/>
14. FOUR CORNERS - MEYERHOFF INVESTMENT MANAGEMENT, LL	061770542	<input checked="" type="checkbox"/>
15. Macquarie Express Holdings LLC	274257659	<input checked="" type="checkbox"/>
16. Delaware Distributors, L.P.	232791871	<input checked="" type="checkbox"/>
17. Macquarie Marine Services LLC	271287377	<input checked="" type="checkbox"/>
18. Macquarie Energy Canada LTD	980517278	<input checked="" type="checkbox"/>
19. Macquarie Canada Inventory Holdings Ltd	000000001	<input checked="" type="checkbox"/>
20. Tax Ease Holdings, LLC	202937047	<input checked="" type="checkbox"/>
21. Tax Ease FL REO, LLC	454286796	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only



VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
-------	--------------------------	----	--------------------------



7002



## Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

11337899121

2013

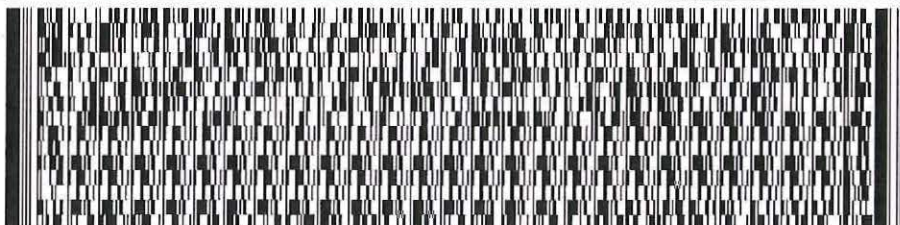
MACQUARIE HOLDINGS (U.S.A.) INC. &amp; SUBS.

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. Blueshine, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
2. Blue Grass Abstract, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
3. Tax Ease Lien Investment 1, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
4. Closing Documentation Services, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
5. Lien Data Services, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
6. One Call Debt Help LLC	■ 454286796	■ <input checked="" type="checkbox"/>
7. Tax Ease CA, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
8. Tax Ease Employee Services Company, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
9. Tax Ease Funding, LP	■ 454286796	■ <input checked="" type="checkbox"/>
10. Tax Ease Funding GP, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
11. Tax Ease, LP	■ 753130882	■ <input checked="" type="checkbox"/>
12. Tax Ease Lien Investment 6, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
13. Tax Ease PA, Inc	■ 454286796	■ <input checked="" type="checkbox"/>
14. OLF, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
15. Tax Ease NY, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
16. Tax Ease Lien Servicing, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
17. Tax Ease Lien Investment 8, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
18. Tax Ease Lien Investment 3, LLC	■ 454286796	■ <input checked="" type="checkbox"/>
19.	■	■ <input type="checkbox"/>
20.	■	■ <input type="checkbox"/>
21.	■	■ <input type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only



VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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7002

## TAB 4

### *Detailed description of the project*

The applicant for this project is a national solar developer with the ability to locate projects of this type in other states in the US with strong solar characteristics. The applicant is actively developing other projects throughout the US and internationally, and in other Texas Counties that are competing for the limited investment funds. The applicant requires this appraised value limitation in order to move forward with the project at this location.

Without the available tax incentives, the economics of the project become far less attractive and the likelihood of completing the project and selling the electricity at competitive prices becomes unlikely. Property taxes can be the highest operating expense for a solar generation facility as they do not have any associated fuel costs for the production of electricity. With electricity prices already below the national average in Texas, it is necessary to limit the property tax liabilities for the project in order to be able to offer electricity at prices that are marketable to Texas customers. Markets such as California that have state wide available subsidies for renewable energy and higher average electricity prices offer attractive incentives to develop in those markets. Solar developers would not be able to finance and build projects in this state without the economic development tax incentives offered here.

West Texas Solar 1 LLC is developing a solar photovoltaic facility designed to use solar power to generate electricity. The anticipated generation capacity of the Project is 110 MW. The qualified investment may include solar modules, mounting system, electrical collection system, combiner boxes, inverters, project substation, meteorological equipment, operations and maintenance facility, transmission facilities, and other ancillary equipment necessary to safely generate and transmit energy. All of the property for which the Applicant is seeking a limitation of appraised value will be owned by the Applicant.

The Applicant anticipates commencing construction activities in the first quarter of 2015 and completing construction by the first quarter of 2016. Once complete, the Project may operate for twenty-five or more years.

The Project will be located entirely within Pecos County and the Iraan-Sheffield Independent School District. It may utilize approximately 1500 acres of the land within the Reinvestment Zone. The project design is not finalized at this time thus the exact location of the improvements cannot be specified. The land used for the Project will privately owned land under long-term leases. The land is currently shrub land and grassland which is not being actively used for any profitable ventures. There is no oil and gas activity on the land.



## TAB 5

### *Documentation to assist in determining if limitation is a determining factor*

The applicant for this project is a national solar developer with the ability to locate projects of this type in other states in the US with strong solar characteristics. The applicant is actively developing other projects throughout the US and internationally, and in other Texas Counties that are competing for the limited investment funds. The applicant requires this appraised value limitation in order to move forward with the project at this location.

Without the available tax incentives, the economics of the project become far less attractive and the likelihood of completing the project and selling the electricity at competitive prices becomes unlikely. Property taxes can be the highest operating expense for a solar generation facility as they do not have any associated fuel costs for the production of electricity. With electricity prices already below the national average in Texas, it is necessary to limit the property tax liabilities for the project in order to be able to offer electricity at prices that are marketable to Texas customers. Markets such as California that have state wide available subsidies for renewable energy and higher average electricity prices offer attractive incentives to develop in those markets. Solar developers would not be able to finance and build projects in this state without the economic development tax incentives offered here.

**TAB 6**

*Names and percentages of additional districts that compromise the entire project:*

West Texas Solar 1 LLC is located 100% in the Iraan-Sheffield ISD in Pecos County, Texas.



## TAB 7

### *Description of Qualified Investment*

West Texas Solar 1 LLC anticipates constructing a solar photovoltaic (PV) electric generating facility with an operating capacity of approximately 110 MW. The exact capacity and the specific technology components will be determined during the development and design process.

A 110 MW solar PV generating facility may include a qualified investment consisting of the following improvements:

- 1) Solar modules/panels
- 2) Steel/aluminum/other metal mounting system with tracking capabilities
- 3) Underground conduit, communication cables, and electrical collection system wiring
- 4) Multiple combiner boxes
- 5) One or multiple project substation(s) including breakers, a transformer, and meters
- 6) Collection substation will be connected to utility interconnection by an above ground transmission line
- 7) Inverter boxes on concrete or gravel pads
- 8) Operations and maintenance facility
- 9) Fencing for safety and security
- 10) Telephone system
- 11) New or improved access and service roads
- 12) Meteorological equipment to measure solar irradiation and weather conditions

**TAB 8**

***Description of Qualified Property***

Please refer to TAB 7.



**TAB 9**

*Description of land*

**WTS1 SOLAR PROJECT - TWO TRACTS: 2079.444 ACRES AND 5.350 ACRES**

**2079.444 ACRES**

**LEGAL DESCRIPTION:** BEING 2079.444 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF SECTION 44 1/2, CHARLES GRAEF SURVEY, ABSTRACT NO. 8435, THE WEST-PART OF SECTION 74, BLOCK 194, ABSTRACT NO. 8431, G.C. & S.F. RR Co. SURVEY, SECTION 73, BLOCK 194, ABSTRACT NO. 5015, G.C. & S.F. RR Co. SURVEY, SECTION 8, BLOCK 12, ABSTRACT NO. 5614, H. & G.N. RR Co. SURVEY, AND SECTION 9, BLOCK 12, H. & G.N. RR Co. SURVEY, ALL IN PECOS COUNTY, TEXAS, AND BEING THE RESIDUE OF THAT SAME TRACT CONVEYED TO JOHN E. HARRIS, JR. AND MARILYN HARRIS BY DEED RECORDED IN VOLUME 30, PAGE 18 AND VOLUME 32, PAGE 774 OF THE OFFICIAL PUBLIC RECORDS OF PECOS COUNTY, TEXAS, THAT CERTAIN 163.10 ACRE TRACT CONVEYED TO JOHN E. HARRIS, JR. AND MARILYN HARRIS BY DEED RECORDED IN VOLUME 32, PAGE 772 OF SAID OFFICIAL PUBLIC RECORDS AND A PORTION OF TRACT 1 AND ALL OF TRACTS 2, 3, 4 AND 5 AS CONVEYED BY DEED TO THE GUNTER PEANUT CO., INC. AND JEFF CART BY DEED RECORDED IN VOLUME 742, PAGE 78 OF THE DEED RECORDS OF PECOS COUNTY, TEXAS; SAID 2079.444 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS 2080.540 ACRES OF LAND, SAVE AND EXCEPT THAT CERTAIN 1.10 ACRE TRACT, FOUND TO CONTAIN 1.096 ACRES OF LAND, CONVEYED TO WEST TEXAS UTILITIES CO. BY DEED RECORDED IN VOLUME 550, PAGE 255 OF SAID DEED RECORDS, AND AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN MAY THRU JUNE, 2014:

**BEGINNING** at a 1 ¼ inch iron pipe found for the southeast corner of Section 44 of said Block 12 and an interior corner of said Section 44 ½ and an interior corner hereof;

THENCE North 11°47'01" East a distance of 4073.79 feet along the common line of said Sections 44 and 44 ½ to a 1 ½ inch iron pipe found for the northerly northwest corner of said Section 44 ½ and the southwest corner of said West-Part of Section 74 and an angle point hereof;

THENCE North 11°53'54" East a distance of 4154.43 feet along the common line of said Sections 44 and 74 and the common line of Section 43 of said Block 12 and said Section 74 to 1 ½ inch iron pipe found for the northwest corner of said West-Part of Section 74 and the southwest corner of said Section 73;

THENCE North 11°46'49" East a distance of 11814.03 feet along the common line of said Sections 43 and 73, the common line of Section 7 of said Block 12 and said Section 73 and the common line of said Sections 7 and 8 to a point for the southwest corner of that certain tract

conveyed to Judy Caroline Cain Mashburn by deed recorded in Volume 714, Page 470 of said deed records and the northwest corner of said Harris 163.10 acre tract and hereof and from which a 1 ½ inch iron pipe found for the northerly common corner of said Sections 7 and 8 bears North 11°46'49" East a distance of 1170.28 feet along said common line;

THENCE South 78°07'57" East a distance of 2642.77 feet along the south line of said Mashburn tract to a point in the common line of said Section 9 and said Section 8 for the southeast corner of said Mashburn tract, the northeast corner of said Harris 163.10 acre tract, and an ell corner hereof and from which a 5/8 inch iron rod found as the accepted northerly common corner of said Sections 8 and 9 bears North 11°48'14" East a distance of 4137.70 feet along said common line;

THENCE South 11°48'14" West a distance of 3836.40 feet along the common line of said Sections 8 and 9 to a point for the southwest corner of that certain 160 acre tract conveyed as Tract Four to Jerry V. Durant by deed recorded in Volume 786, Page 608 of said deed records, the northwest corner of said Gunter Tract 5 and an interior corner hereof;

THENCE South 78°35'18" East along the south line of said Durant tract, passing at a distance of 29.33 feet a ½ inch iron rod with cap found for reference, continuing in all a distance of 2642.00 feet to a 1 ½ inch iron pipe found in the common line of Section 10 of said Block 12 and said Section 9 for the southeast corner of said Durant tract, the northeast corner of said Gunter Tract 5 and an ell corner hereof;

THENCE South 11°48'14" West a distance of 2139.77 feet along the common line of said Sections 9 and 10 to a point for an ell corner of said Section 73, the southwest corner of said Section 10 and an interior corner hereof;

THENCE South 78°11'26" East along the common line of said Sections 10 and 73, passing at a distance of 0.90 feet a 6 inch cedar fence corner post, continuing in all a distance of 594.42 feet to a point for the northwest corner of that certain 3.90 acre tract conveyed as Group Three to James Jepson by deed recorded in Volume 821, Page 248 of said deed records and an ell corner hereof and from which a 6 inch cedar fence corner post found for the northeast corner of said Section 73 bears South 78°11'26" East a distance of 30.00 feet along said common line;

THENCE along the westerly lines of said 3.90 acre tract the following four (4) calls:

1. South 11°51'30" West a distance of 2549.97 feet to a point for an angle point;
2. South 38°37'30" West a distance of 672.90 feet to a point for an angle point;
3. South 05°38'30" East a distance of 1007.60 feet to a point for an angle point;
4. South 11°51'30" West a distance of 1595.40 feet to a point in the north line of that certain 1 acre tract conveyed as Group Two to James Jepson by said deed recorded in Volume 821, Page 248 of said deed records for the southwest corner of said 3.90 acre tract and an ell corner hereof;

THENCE North 78°08'29" West a distance of 265.19 feet along the north line of said 1 acre tract to a point for the northwest corner of said 1 acre tract and an interior corner hereof;



THENCE South 11°51'30" West a distance of 147.88 feet along the west line of said 1 acre tract to a point in the common line of the East-Part of said Section 74 of said Block 194 and said Section 73 for the southwest corner of said 1 acre tract and an ell corner hereof and from which a 1 ½ inch iron pipe found for the southeast corner of said Section 73 bears South 78°11'45" East a distance of 295.20 feet along said common line;

THENCE North 78°11'45" West a distance of 2946.42 feet along said common line to a 1 ½ inch iron pipe found for the northwest corner of said East-Part of said Section 74, the northeast corner of said West-Part of said Section 74 and an interior corner hereof;

THENCE South 11°51'13" West a distance of 3651.92 feet along the common line of said East-Part and said West-Part of Section 74 to a 1 ½ inch iron pipe found in the north line of said Section 44 ½ for the southwest corner of said East-Part, the southeast corner of said West-Part and an interior corner hereof;

THENCE South 88°51'15" East a distance of 1341.94 feet along the common line of said East-Part and said Section 44 ½ to a cotton spindle found in the west line of Section 75 of said Block 194 for an ell corner of said East-Part, the northeast corner of said Section 44 ½ and an ell corner hereof;

THENCE South 01°03'16" West a distance of 4921.69 feet along the common line of said Sections 75 and 44 ½ and the common line of Section 80 of said Block 194 and said Section 44 ½ to a point in the north line of Section 4, Block 16, University Land, for the southwest corner of said Section 80, the southeast corner of said Section 44 ½ and the southerly southeast corner hereof and from which a 1 ¼ inch iron pipe found for reference bears South 88°35'30" East a distance of 85.93 feet along said north line;

THENCE North 88°35'30" West a distance of 3099.88 feet along the common line of said Sections 4 and 44 ½ to a 2 inch iron pipe found for the northerly common corner of Section 5 of said Block 16 and said Section 4 and an angle point hereof;

THENCE North 88°35'18" West a distance of 4113.41 feet along the common line of said Sections 5 and 44 ½ to a 120D nail found for the southeast corner of that certain 43.04 acre tract conveyed to LCRA Transmission Services Corporation by deed recorded in Volume 39, Page 193 of said official public records and the southwest corner of said Harris residue tract and hereof and from which a bolt found at a 2 inch iron pipe fence corner post for a replacement monument for the northerly common corner of Section 6 of said Block 16 and said Section 5 and the southwest corner of said Section 44 ½ bears North 88°35'18" West a distance of 1285.74 feet along said common line;

THENCE North 01°24'18" East a distance of 1339.01 feet along the east line of said LCRA tract to 2 inch iron pipe fence corner post found in the common line of said Sections 44 and 44 ½ for the northeast corner of said LCRA tract, the westerly northwest corner of said Harris residue tract, and an ell corner hereof and from which a 1 inch iron pipe found for the westerly northwest

corner of said Section 44 ½ bears North 78°07'31" West a distance of 1307.25 feet along said common line;

THENCE South 78°07'31" East a distance of 2440.64 feet along said common line of said Sections 44 and 44 ½ to the **POINT OF BEGINNING** and containing 2080.540 acres of land, more or less.

**SAVE AND EXCEPT SAID 1.10 ACRE TRACT CONVEYED TO SAID WEST TEXAS UTILITIES CO., FOUND TO CONTAIN 1.096 ACRES, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at a 2 inch iron pipe fence corner post found in the southeast r-o-w line of F.M. Highway 1901 for the west corner hereof and from which said 1 ¼ inch iron pipe found for the southeast corner of said Section 44 and an interior corner of said Section 44 ½ bears South 69°50'18" West a distance of 2358.23 feet;

THENCE North 41°45'36" East a distance of 164.95 feet along said r-o-w line to a 2 inch iron pipe fence corner post found for the north corner hereof;

THENCE South 51°08'33" East a distance of 289.91 feet to a 2 inch iron pipe fence corner post found for the east corner hereof;

THENCE South 41°47'35" West a distance of 164.87 feet to a 2 inch iron pipe fence corner post found for the south corner hereof;

THENCE North 51°09'30" West a distance of 289.82 feet to the **POINT OF BEGINNING** and containing 1.096 acres of land, more or less.

**LEAVING A TOTAL 2079.444 ACRES MORE OR LESS.**

### **5.350 ACRES**

**LEGAL DESCRIPTION:** BEING 5.350 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF SECTION 73, BLOCK 194, ABSTRACT NO. 5015, G.C. & S.F. RR Co. SURVEY, IN PECOS COUNTY, TEXAS, AND BEING THE RESIDUE OF THAT CERTAIN TRACT 1 CONVEYED BY DEED TO THE GUNTER PEANUT CO., INC. AND JEFF CART BY DEED RECORDED IN VOLUME 742, PAGE 78 OF THE DEED RECORDS OF PECOS COUNTY, TEXAS; SAID 5.350 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN MAY THRU JUNE, 2014:

**BEGINNING** at a point in the common line of Section 72 of said Block 194 and said Section 73 for an angle point of that certain 3.90 acre tract conveyed as Group Three to James Jepson by deed recorded in Volume 821, Page 248 of said deed records and the south corner hereof and



from which a 1 ½ inch iron pipe found for the southeast corner of said Section 73 bears South 11°51'31" West a distance of 1747.56 feet along the east line of said Section 73;

THENCE North 05°38'30" West a distance of 1000.04 feet along the east line of said 3.90 acre tract to a point for an angle point;

THENCE North 38°37'30" East a distance of 667.76 feet along the east line of said 3.90 acre tract to a point in said common section line for an angle point of said 3.90 acre tract and the north corner hereof and from which a 6 inch cedar fence corner post found for the northeast corner of said Section 73 bears North 11°51'31" East a distance of 2557.23 feet along said common line;

THENCE South 11°51'31" West a distance of 1549.97 feet along said common line to the **POINT OF BEGINNING** and containing 5.350 acres of land, more or less.

Note: Bearings, distances, and acreage shown hereon are Grid, NAD83(CORS96), Texas Central Zone and are based on NGS CORS/OPUS solutions. Iron rods set are 1/2 inch by 24 inch steel rebar with blue plastic caps marked "WATSON-5498".

**TAB 10**

*Description of all property not eligible to become qualified property (if applicable)*

1. Residential home and barn located on Block 12, Section 44 ½, with a total improvement value of \$122,970; and
2. Mobile home located on Block 194, Section 73, with a total improvement value of \$27,510.00.

*SEE ATTACHED CAD INFORMATION FOR FURTHER DETAIL.*



**Block 12 Section 9:**

Gunter Peanut –

Improvement value = 0

Total value = 17,610

**Block 12, Section 44 1/2:**

John E Harris Jr –

Improvement value = 83,020

Total value = 122,970

**Improvement Information**

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
1	RES	0	798	\$37,400.00
2	STR2	0	798	\$30,960.00
3	CPF4	0	216	\$1,380.00
4	CPF4	0	16	\$100.00
5	FVO	0	0	\$100.00
6	BN3G	0	1200	\$13,080.00

- 1 RES --> residential --> harris home
- 2 STR2 --> second story of residence --> harris home
- 3 CPF4 --> covered porch, frame
- 4 CPF4 --> covered porch, frame
- 5 FVO --> flat valued (structure with little or no significant value, mobile home, storage, junk) ... marilyn harris says it might be a corral?
- 6 BN3G --> barn? ... Marilyn haris says this is probably the shop, a metal building

AEP Texas North Company –

Total value = \$130

Improvement value = \$0

LCRA Transmission Services Corp –

Total value = \$3030

Improvement value = \$0

**Block 194 Section 73:**

James Jepson -

Total value = \$110

Improvement value = \$0

David Guevara -

Total value = \$27,510

Improvement value = \$27,510

**Improvement Information**

<b>Bldg. No.</b>	<b>Bldg. Type</b>	<b>Year Built</b>	<b>Bldg. Area</b>	<b>Value</b>
1	MH	0	1783	\$26,030.00
2	CPF1	0	65	\$160.00
3	CVTL	0	400	\$590.00
4	STG1	0	150	\$730.00

1 MH --> mobile home

2 CPF1 --> covered porch, lower quality

3 CVTL --> tin cover for vehicles ... made of aluminum and tin

4 STG1 --> storage, lower quality

Gunter Peanut -

Total value = \$121,650

Improvement value = \$0

**Block 194 Section 74, Abstract 8431:**

Gunter Peanut -

Total value = \$50,340

Improvement value = \$0



5/9/2014

TaxNetUSA - TX: Pecos: 2013 Certified: Detail Report



TaxNetUSA &gt; Texas &gt; Pecos County &gt; Detail Report

GED Number: 00012-02044-00102-000000 Account Number: 40490

Owner Name: LCRA TRANSMISSION SERVICES CORP

Mailing Address: P O BOX 220  
AUSTIN, TX 78767

Location:

Legal: 0435 12 C 0RAFF  
SEC 44 1/2

## Value Information

2013 Certified

Land Value	\$3,030.00
Improvement Value	\$0.00
AG Value	\$0.00
AG Productivity Value	\$0.00
Assessed Value	\$3,030.00
Total Value	\$3,030.00

Data up to date as of Sep 6, 2013 including 2013 Certified values.

## Property Details

Exemptions:

State Code:

Land Area:

Neighborhood:

Map ID:

Abstract Number:

Tract/Lot:

Block:

Entity Code	Entity Name	Rate Year	Tax Rate
01	Pecos County	2012	0.620000
E 32	Irma-Sheffield ISD	2012	1.170000
43.0400 03	Middle Pecos Ground WCD	2012	0.026000
05	Irma General Hospital District	2012	0.105000

[View Tax Estimator](#)

## Improvement Information

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
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## Ownership History

Sale No.	Seller	Purchaser	Volume	Page	Deed Date
1	LCRA TRANSMISSION SERVICES CORP	LCRA TRANSMISSION SERVICES CORP	39	193	20120301

## Land Information

Land No.	Acres	SQFT	Front	Rear	AG Value	Value
1	43.040000	0.000000	0.000000	0.000000	\$0	\$3,030.00

5/9/2014

TaxNetUSA - TX: Pecos; 2013 Certified; Detail Report



TaxNetUSA &gt; Texas &gt; Pecos County &gt; Detail Report

GEO Number: 00012-02044-00100-000000 Account Number: 6313

Owner Name: HARRIS JOHN E JR

 Mailing Address:  
 4 MARILYN  
 P O BOX 2349  
 WIMBERLEY, TX 78676

Location

 Legal:  
 B436 12 C GRAFF  
 SEC 44 1/2

## Value Information

## 2013 Certified

Land Value	\$0.00
Improvement Value	\$89,020.00
AG Value	\$2,440.00
AG Productivity Value	\$39,950.00
Assessed Value	\$85,400.00
Total Value	\$122,970.00

Data up to date as of Sep 6, 2013 including 2013 Certified values.

## Property Details

## Exemptions

## State Code

## Land Acres

## Neighborhood

## Map ID

## Abstract Number

## Tract/Lot

## Block

Entity Code	Entity Name	Rate Year	Tax Rate
01	Pecos County	2012	0.829000
D1 32	Iraan-Sheffield ISD	2012	1.170000
557.8300 63	Middle Pecos Ground WCD	2012	0.026000
7 05	Iraan General Hospital District	2012	0.105000

[View Tax Estimator](#)

## Improvement Information

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
1	RES	0	798	\$37,400.00
2	STR2	0	700	\$30,950.00
3	CPF4	0	216	\$1,380.00
4	CPF4	0	10	\$100.00
5	FVO	0	0	\$100.00
6	BN30	0	1200	\$13,080.00

## Ownership History

Sale No.	Seller	Purchaser	Volume	Page	Deed Date
1	MC DONALD ROY ESTATE	MC DONALD DAVID HARKEY	0	0	19940418
2	MC DONALD DAVID HARKEY	MORRIS DON & PATSY LIVING TRST	721	293	20010129
3		MORRIS D&P FAMILY PARTNERSH	740	669	20030123
4	MORRIS D&P FAMILY PARTNERSHIP	HARRIS JOHN E JR	761	259	20070302
5	HARRIS JOHN E JR	HARRIS JOHN E JR	32	774	20111229

## Land Information

Land No.	Acres	SQFT	Front	Rear	AG Value	Value
1	587.830000	0.000000	0.000000	0.000000	\$2440	\$39,950.00



5/9/2014

TaxNetUSA - TX : Pecos : 2013 Certified: Detail Report



TaxNetUSA &gt; Texas &gt; Pecos County &gt; Detail Report

GEO Number: 00012-00009-00100-000000 Account Number: 6228

Owner Name GUNTER PEANUT CO INC

 Mailing & JEFF CART  
 Address DRAWER H  
 BINGER, OK 73009

 Location  
 203 12 H&N SEC 9

Legal

## Value Information

2013 Certified

Land Value	\$0.00
Improvement Value	\$0.00
AG Value	\$1,000.00
AG Productivity Value	\$17,810.00
Assessed Value	\$1,000.00
Total Value	\$17,810.00

Data up to date as of Sep 6, 2013 including 2013 Certified values.

## Property Details

## Exemptions

## State Code

## Land Acres

## Neighborhood

## Map ID

## Abstract Number

## Tract/Lot

## Block

Entity Code	Entity Name	Rate Year	Tax Rate
01	Pecos County	2012	0.520000
32	Irma-Sheffield ISD	2012	1.170000
63	Middle Pecos Ground WCD	2012	0.025000
65	Irma General Hospital Distric	2012	0.165800

View Tax Estimator

## Improvement Information

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
-----------	------------	------------	------------	-------

## Ownership History

Sale No.	Seller	Purchaser	Volume	Page	Deed Date
1	FORD DON	FRYE GEORGE & KENNETH	600	4	10000110
2	FRYE GEORGE & KENNETH	GUNTER PEANUT CO INC	742	78	20030328

## Land Information

Land No.	Acres	SQFT	Front	Rear	AG Value	Value
1	160.000000	0.000000	0.000000	0.000000	\$1000	\$17,810.00

5/9/2014

TaxNetUSA - TX : Pecos : 2013 Certified : Detail Report



TaxNetUSA &gt; Texas &gt; Pecos County &gt; Detail Report

GEO Number: 00194-00074-00300-000000 Account Number: 12735

Owner Name GUNTER PEANUT CO INC

Mailing & JEFF CART  
Address DRAWER H  
BINGER, OK 73009Location  
8431 104 00&SF SEC 74

Legal

## Value Information

2013 Certified

Land Value	\$0.00
Improvement Value	\$0.00
AG Value	\$33,150.00
AG Productivity Value	\$50,340.00
Assessed Value	\$33,150.00
Total Value	\$50,340.00

Data up to date as of Sep 6, 2013 including 2013 Certified values.

## Property Details

Exemptions

State Code

Land Acres

Neighborhood

Map ID

Abstract Number

Tract/Lot

Block

Entity Code	Entity Name	Rate Year	Tax Rate
01	Pecos County	2012	0.020000
32	Iraan-Sheffield ISD	2012	1.170000
83	Middle Pecos Ground WCD	2012	0.028000
05	Iraan General Hospital District	2012	0.165000

[View Tax Estimator](#)

## Improvement Information

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
-----------	------------	------------	------------	-------

## Ownership History

Sale No.	Seller	Purchaser	Volume	Page	Deed Date
1			589	385	10880824
2	FRYE HARLAND H ETUX	FRYE KENNETH ETUX	0	0	10880024
3	FRYE KENNETH ETUX	FRYE GEORGE & KENNETH	590	4	10850110
4	FRYE GEORGE & KENNETH	GUNTER PEANUT CO INC	742	78	20030328

## Land Information

Land No.	Acres	SQFT	Front	Rear	AG Value	Value
1	238.480000	0.000000	0.000000	0.000000	\$33,150	\$50,340.00



5/9/2014

TaxNetUSA - TX : Pecos : 2013 Certified : Detail Report



TaxNetUSA &gt; Texas &gt; Pecos County &gt; Detail Report

GEO Number: 00194-00073-00101-000000 Account Number: 12731

Owner Name JEPSON JAMES

Mailing Address  
PO BOX 1052  
MCCAMEY, TX 79762Location  
6015 194 GC&SF SEC 73  
SE CORNER

Legal

## Value Information

## 2013 Certified

Land Value	\$0.00
Improvement Value	\$0.00
AG Value	\$10.00
AG Productivity Value	\$110.00
Assessed Value	\$10.00
Total Value	\$110.00

Data up to date as of Sep 6, 2013 including 2013 Certified values.

## Property Details

## Exemptions

## State Code

## Land Acres

## Neighborhood

## Map ID

## Abstract Number

## Tract/Lot

## Block

Entity Code	Entity Name	Rate Year	Tax Rate
01	Pecos County	2012	0.620000
D1	32 Itan-Sheffield ISD	2012	1.170000
03	Middle Pecos Ground WCD	2012	0.025000
05	Itan General Hospital District	2012	0.105000

[View Tax Estimator](#)

## Improvement Information

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
-----------	------------	------------	------------	-------

## Ownership History

Sale No.	Seller	Purchaser	Volume	Page	Deed Date
1	GONZALEZ ALEX R	GONZALEZ ALEX R	0	0	
2	GONZALEZ ALEX R ETUX	GONZALEZ ALEX R	533	559	10840909
3	GONZALEZ ALEX R	JEPSON CAROLINE F	730	788	20011129
4	JEPSON CAROLINE F	JEPSON JAMES	821	248	20100930

## Land Information

Land No.	Acres	SOFT	Front	Rear	AG Value	Value
1	1.000000	0.000000	0.000000	0.000000	\$10	\$110.00

5/9/2014

TaxNetUSA - TX : Pecos : 2013 Certified : Detail Report



TaxNetUSA &gt; Texas &gt; Pecos County &gt; Detail Report

GEO Number: 00194-00073-00101-009935 Account Number: 30405

Owner Name GUEVARA DAVID

Mailing Address P O BOX 939  
MC CAMEY, TX 79762Location HWY 1001  
GIRVIN TX 79744Legal LOCATED MOBILE HOME  
0016 104 CC&SF SEC 73

## Value Information

## 2013 Certified

Land Value	\$0.00
Improvement Value	\$27,510.00
AG Value	\$0.00
AG Productivity Value	\$0.00
Assessed Value	\$27,510.00
Total Value	\$27,510.00

Data up to date as of Sep 6, 2013 including 2013 Certified values.

## Property Details

Exemptions

State Code

Land Acres

Neighborhood

Map ID

Abstract Number

Tract/Lot

Block

Entity Code	Entity Name	Rate Year	Tax Rate
01	Pecos County	2012	0.029000
M1	32	2012	1.170000
0.0000	03	2012	0.026000
7	05	2012	0.105000

View Tax Estimator

## Improvement Information

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
1	MH	0	1783	\$26,030.00
2	CPF1	0	55	\$180.00
3	CVTL	0	400	\$560.00
4	ST01	0	150	\$730.00

## Ownership History

Sale No.	Seller	Purchaser	Volume	Page	Deed Date
1	DROAC LARRY ETUX ANNA	GUEVARA DAVID	0	0	

## Land Information

Land No.	Acres	SQFT	Front	Rear	AG Value	Value
----------	-------	------	-------	------	----------	-------

5/9/2014

TaxNetUSA - TX : Pecos : 2013 Certified: Detail Report



TaxNetUSA &gt; Texas &gt; Pecos County &gt; Detail Report

GEO Number: 00012-02044-00101-000000 Account Number: 6314

Owner Name AEP TEXAS NORTH COMPANY

Mailing Address P O BOX 000104  
DALLAS, TX 75200

Location FM 1901

Legal 8435 12 C GRAFF  
SEC 44 1/2

## Value Information

2013 Certified

Land Value	\$130.00
Improvement Value	\$0.00
AG Value	\$0.00
AG Productivity Value	\$0.00
Assessed Value	\$130.00
Total Value	\$130.00

Data up to date as of Sep 6, 2013 including 2013 Certified values.

## Property Details

## Exemptions

## State Code

## Land Area

## Neighborhood

## Map ID

## Abstract Number

## Tract/Lot

## Block

Entity Code	Entity Name	Rate Year	Tax Rate
01	Pecos County	2012	0.020000
E 32	Iraan-Sheffield ISD	2012	1.170000
1,1000 03	Middle Pecos Ground WCD	2012	0.020000
7 05	Iraan General Hospital District	2012	0.100000

[View Tax Estimator](#)

## Improvement Information

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
-----------	------------	------------	------------	-------

## Ownership History

Sale No.	Seller	Purchaser	Volume	Page	Deed Date
1		MC DONALD DAVID HARKEY	0	0	19970722
2	MC DONALD DAVID HARKEY	MORRIS DON & PATSY LIVING TRST	721	293	20010129
3		MORRIS D&P FAMILY PARTNERSH	740	589	20030123
4	MORRIS D&P FAMILY PARTNERSHIP	WEST TEXAS UTILITIES COMPANY	550	255	19850411

## Land Information

Land No.	Acres	SQFT	Front	Rear	AG Value	Value
1	1.100000	0.000000	0.000000	0.000000	\$0	\$130.00



5/9/2014

TaxNetUSA - TX : Pecos : 2013 Certified : Detail Report



TaxNetUSA &gt; Texas &gt; Pecos County &gt; Detail Report

GEO Number: 00194-00073-00102-000000 Account Number: 12732

Owner Name GUNTER PEANUT CO INC

Mailing & JEFF CART  
Address DRAWER H  
BINGER, OK 73009Location  
6016 104 GC&SF SEC 73

Legal

## Value Information

## 2013 Certified

Land Value	\$0.00
Improvement Value	\$0.00
AG Value	\$73,470.00
AG Productivity Value	\$121,850.00
Assessed Value	\$73,470.00
Total Value	\$121,650.00

Data up to date as of Sep 6, 2013 including 2013 Certified values.

## Property Details

## Exemptions

## State Code

## Land Acres

## Neighborhood

## Map ID

## Abstract Number

## Tract/Lot

## Block

Entity Code	Entity Name	Rate Year	Tax Rate
01	Pecos County	2012	0.520000
D1 32	Isaiah-Sheffield ISD	2012	1.170000
039.0000 03	Middle Pecos Ground WCD	2012	0.025000
05	Isaiah General Hospital District	2012	0.105000
Total			1.8096

\*Total Estimated Taxes \$2,420.35

73 Note: The Total Estimated Taxes are provided as a courtesy and should not be relied upon  
104 in making financial or other decisions. \*Tax amount does not include any abatements or  
exemptions.

## Improvement Information

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
-----------	------------	------------	------------	-------

## Ownership History

Sale No.	Seller	Purchaser	Volume	Page	Deed Date
1			680	4	19950119
2	FRYE GEORGE & KENNETH	GUNTER PEANUT CO INC	742	78	20030328

## Land Information

Land No.	Acres	SQFT	Front	Rear	AG Value	Value
1	520.000000	0.000000	0.000000	0.000000	\$72280	\$108,880.00
2	119.000000	0.000000	0.000000	0.000000	\$1190	\$12,870.00

**Block 12, Section 8 [S/2] (Gunter / Cart)**

**Gunter Peanut Company and Jeff Cart**

Improvement value = 0

Total value = 67,430

**Block 12, Section 8 (Harris)**

**John E Harris Jr and Marilyn Harris-**

Improvement value = 0

Total value = 17,960

**Block 12 Section 9:**

**Gunter Peanut Company and Jeff Cart –**

Improvement value = 0

Total value = 17,610

**Block 12, Section 44 1/2:**

**John E Harris Jr and Marilyn Harris –**

Improvement value = 83,020

Total value = 122,970

**Improvement Information**

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
1	RES	0	798	\$37,400.00
2	STR2	0	798	\$30,960.00
3	CPF4	0	216	\$1,380.00
4	CPF4	0	16	\$100.00
5	FVO	0	0	\$100.00
6	BN3G	0	1200	\$13,080.00

1 RES --> residential --> harris home

2 STR2 --> second story of residence --> harris home

3 CPF4 --> covered porch, frame

4 CPF4 --> covered porch, frame

5 FVO --> flat valued (structure with little or no significant value, mobile home, storage, junk) ...

marilyn harris says it might be a corral?

6 BN3G --> barn? ... Marilyn haris says this is probably the shop, a metal building

AEP Texas North Company –

Total value = \$130

Improvement value = \$0

LCRA Transmission Services Corp –

Total value = \$3030

Improvement value = \$0

Block 194 Section 73:

James Jepson –

Total value = \$110

Improvement value = \$0

David Guevara –

Total value = \$27,510

Improvement value = \$27,510

**Improvement Information**

Bldg. No.	Bldg. Type	Year Built	Bldg. Area	Value
1	MH	0	1783	\$26,030.00
2	CPF1	0	65	\$160.00
3	CVTL	0	400	\$590.00
4	STG1	0	150	\$730.00

- 1 MH --> mobile home
- 2 CPF1 --> covered porch, lower quality
- 3 CVTL --> tin cover for vehicles ... made of aluminum and tin
- 4 STG1 --> storage, lower quality

Gunter Peanut Company and Jeff Cart -

Total value = \$121,650

Improvement value = \$0



**Block 194 Section 74, Abstract 8431:**

Gunter Peanut Company and Jeff Cart -

Total value = \$50,340

Improvement value = \$0

**TAB 11**

*Maps that clearly show:*

- *Project vicinity, Qualified investment & property, Existing Property, Land Location, and Reinvestment Zone*

[CONFIDENTIAL]

**TAB 12**

*Request of waiver of creation requirement*



May 8, 2014

Mr. Kevin Allen, Superintendent  
Iraan-Sheffield Independent School District  
P.O. Box 486  
Iraan, Texas 79744-0486

**Re: Chapter 313 Job Waiver Request**

Dear Mr. Allen,

Please consider this letter to be West Texas Solar 1 LLC's formal request to waive the minimum new job creation requirement, as provided under Texas Tax Code 313.025(f-1).

Based upon our knowledge of staffing requirements West Texas Solar 1 LLC requests the job creation requirement under Chapter 313 of the Texas Tax Code be waived. In line with solar industry standards for job requirements, West Texas Solar 1 LLC has committed to create two (2) new permanent jobs.

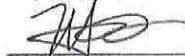
Solar projects create a large number of full-time, temporary jobs during the construction phase (1st year), but require a small number of highly skilled technicians to operate the solar project once construction operations end and commercial operations begin.

These permanent employees of a solar energy project maintain and service solar panels, mounting infrastructure, underground electrical connections, substations and other infrastructure associated with the safe and reliable operation of the project. In addition to the onsite employees described above, there also may be asset managers or technicians who supervise, monitor, and support solar project operations from offsite locations.

The waiver request herein is in line with industry standards for the number of jobs specifically relegated to a solar generation facility of this size. This is evidenced by previously filed limitation agreement applications by solar developers who similarly requested a waiver of the job requirements and in addition, by readily available documentation and education materials related to the development of solar generation facilities.

Sincerely,

West Texas Solar 1 LLC



Thomas H. Houle  
President



Mike Allison  
Vice President

**TAB 13**

*Calculation of three possible wage requirements with TWC documentation*

**AVERAGE WEEKLY WAGES FOR ALL JOBS, ALL INDUSTRIES IN PECOS  
COUNTY**  
*FOUR MOST RECENT QUARTERS*

COUNTY	YEAR	QUARTER	Avg. Weekly Wage
Pecos	2013	Q2	\$812
Pecos	2013	Q3	\$789
Pecos	2013	Q4	\$833
Pecos	2014	Q1	\$892
SUM:			\$3,326
CALCULATION:			$\$3,394/4 = \$831.50$

**AVERAGE WEEKLY WAGES FOR MANUFACTURING JOBS IN PECOS COUNTY**  
*FOUR MOST RECENT QUARTERS*

COUNTY	YEAR	QUARTER	Avg. Weekly Wage
Pecos	2013	Q2	\$571
Pecos	2013	Q3	\$708
Pecos	2013	Q4	\$561
Pecos	2014	Q1	\$662
SUM:			\$2,618
CALCULATION:			$\$2,502/4 = \$625.5 * 1.1 = \$688.50$

**AVERAGE WEEKLY WAGES FOR MANUFACTURING JOBS IN THE PERMIAN  
BASIN REGION (WDA)**  
*FOUR MOST RECENT QUARTERS*

REGION / WDA	YEAR	Hourly/Annual	Avg. Weekly Wage
Permian Basin	2013	\$22.89/\$47,604	\$915.60
CALCULATION:			$\$915.60 * 1.1 = \$1,007.16$

## Quarterly Employment and Wages (QCEW)

[Back](#)

### I.CODETITLE

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2013	1st Qtr	Pecos County	Total All	00	0	10	Total, All Industries	\$837
2013	2nd Qtr	Pecos County	Total All	00	0	10	Total, All Industries	\$812
2013	3rd Qtr	Pecos County	Total All	00	0	10	Total, All Industries	\$789
2013	4th Qtr	Pecos County	Total All	00	0	10	Total, All Industries	\$833
2014	1st Qtr	Pecos County	Total All	00	0	10	Total, All Industries	\$892
2014	1st Qtr	Pecos County	Total All	31	2	31-33	Manufacturing	\$662
2013	4th Qtr	Pecos County	Total All	31	2	31-33	Manufacturing	\$561
2013	3rd Qtr	Pecos County	Total All	31	2	31-33	Manufacturing	\$708
2013	2nd Qtr	Pecos County	Total All	31	2	31-33	Manufacturing	\$571
2013	1st Qtr	Pecos County	Total All	31	2	31-33	Manufacturing	\$692



**2013 Manufacturing Wages by Council of Government Region**  
**Wages for All Occupations**

COG	Wages	
	Hourly	Annual
<b>Texas</b>	<b>\$23.73</b>	<b>\$49,363</b>
<a href="#">1. Panhandle Regional Planning Commission</a>	\$20.43	\$42,499
<a href="#">2. South Plains Association of Governments</a>	\$16.53	\$34,380
<a href="#">3. NORTEX Regional Planning Commission</a>	\$19.15	\$39,838
<a href="#">4. North Central Texas Council of Governments</a>	\$25.00	\$51,997
<a href="#">5. Ark-Tex Council of Governments</a>	\$17.45	\$36,298
<a href="#">6. East Texas Council of Governments</a>	\$19.50	\$40,565
<a href="#">7. West Central Texas Council of Governments</a>	\$18.64	\$38,779
<a href="#">8. Rio Grande Council of Governments</a>	\$16.27	\$33,848
<a href="#">9. Permian Basin Regional Planning Commission</a>	\$22.89	\$47,604
<a href="#">10. Concho Valley Council of Governments</a>	\$17.20	\$35,777
<a href="#">11. Heart of Texas Council of Governments</a>	\$19.44	\$40,444
<a href="#">12. Capital Area Council of Governments</a>	\$27.31	\$56,805
<a href="#">13. Brazos Valley Council of Governments</a>	\$17.20	\$35,770
<a href="#">14. Deep East Texas Council of Governments</a>	\$16.48	\$34,287
<a href="#">15. South East Texas Regional Planning Commission</a>	\$29.09	\$60,501
<a href="#">16. Houston-Galveston Area Council</a>	\$26.13	\$54,350
<a href="#">17. Golden Crescent Regional Planning Commission</a>	\$22.23	\$46,242
<a href="#">18. Alamo Area Council of Governments</a>	\$18.91	\$39,329
<a href="#">19. South Texas Development Council</a>	\$13.94	\$28,990
<a href="#">20. Coastal Bend Council of Governments</a>	\$23.78	\$49,454
<a href="#">21. Lower Rio Grande Valley Development Council</a>	\$15.82	\$32,907
<a href="#">22. Texoma Council of Governments</a>	\$20.93	\$43,529
<a href="#">23. Central Texas Council of Governments</a>	\$17.33	\$36,042
<a href="#">24. Middle Rio Grande Development Council</a>	\$19.07	\$39,666

Source: Texas Occupational Employment and Wages

Data published: July 2014

Data published annually, next update will be July 31, 2015

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.

**TAB 14**

*Schedules A1, A2, B, C, and D completed and signed Economic Impact*

See attached Excel Spreadsheet

## Schedule A1: Total Investment for Economic Impact (through the Qualifying Time Period)

Applicant Name WEST TEXAS SOLAR I.  
 ISD Name Iraan-Sheffield Independ

Form 50-296A

Revised Feb 2014

PROPERTY INVESTMENT AMOUNTS								
(Estimated Investment in each year. Do not put cumulative totals.)								
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other new investment made during this year that may become Qualified Property [SEE NOTE]	Total Investment (Sum of Columns A+B+C+D)
Investment made before filing complete application with district	2014	2014-2015	2014	Not eligible to become Qualified Property			[The only other investment made before filing complete application with district that may become Qualified Property is land.]	\$0
Investment made after filing complete application with district, but before final board approval of application				\$0	\$0	\$0	\$0	0
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				\$0.00	\$0	\$0	\$0	\$0.00
Complete tax years of qualifying time period	QTP1	2015-2016	2015	\$275,000,000.00	\$0	\$0	\$0	\$275,000,000.00
	QTP2	2016-2017	2016	\$0	\$0	\$0	\$0	\$0
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]				\$275,000,000.00	\$0	\$0	\$0	\$275,000,000.00
				Enter amounts from TOTAL row above in Schedule A2				
Total Qualified Investment (sum of green cells)				\$275,000,000.00				

For All Columns: List amount invested each year, not cumulative totals.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.

Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Total Investment: Add together each cell in a column and enter the sum in the blue total investment row. Enter the data from this row into the first row in Schedule A2.

Qualified Investment: For the green qualified investment cell, enter the sum of all the green-shaded cells.



**Schedule A2: Total Investment for Economic Impact (including Qualified Property and other investments)**

Applicant Name WEST TEXAS SOLAR I, LLC

Form 50-296A

ISD Name Iraan-Sheffield Independent School District

Revised Feb 2014

PROPERTY INVESTMENT AMOUNTS								
(Estimated investment in each year. Do not put cumulative totals.)								
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	Column B New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Column C Other investment made during this year that will not become Qualified Property (SEE NOTE)	Column D Other investment made during this year that will become Qualified Property (SEE NOTE)	Column E Total Investment (A+B+C+D)
Total Investment from Schedule A1*	--	TOTALS FROM SCHEDULE A1		\$275,000,000.00	\$0	\$0	\$0	\$275,000,000.00
Each year prior to start of value limitation period**	0	2014-2015	2014	\$0	\$0	\$0	\$0	\$0
Each year prior to start of value limitation period**	0	2015-2016	2015	\$275,000,000.00	\$0	\$0	\$0	\$275,000,000.00
Value limitation period***	1	2016-2017	2016	\$0.00	\$0	\$0	\$0	\$0.00
	2	2017-2018	2017	\$0.00	\$0	\$0	\$0	\$0.00
	3	2018-2019	2018	\$0.00	\$0	\$0	\$0	\$0.00
	4	2019-2020	2019	\$0.00	\$0	\$0	\$0	\$0.00
	5	2020-2021	2020	\$0.00	\$0	\$0	\$0	\$0.00
	6	2021-2022	2021	\$0.00	\$0	\$0	\$0	\$0.00
	7	2022-2023	2022	\$0.00	\$0	\$0	\$0	\$0.00
	8	2023-2024	2023	\$0.00	\$0	\$0	\$0	\$0.00
	9	2024-2025	2024	\$0.00	\$0	\$0	\$0	\$0.00
	10	2025-2026	2025	\$0.00	\$0	\$0	\$0	\$0.00
Total Investment made through limitation				\$275,000,000	\$0	\$0	\$0	\$275,000,000
Continue to maintain viable presence	11	2026-2027	2026			\$2,400,000.00		\$2,400,000.00
	12	2027-2028	2027			\$4,800,000.00		\$4,800,000.00
	13	2028-2029	2028			\$2,400,000.00		\$2,400,000.00
	14	2029-2030	2029			\$0		\$0
	15	2030-2031	2030			\$0		\$0
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2031-2032	2031			\$0		\$0
	17	2032-2033	2032			\$0		\$0
	18	2033-2034	2033			\$0		\$0
	19	2034-2035	2034			\$0		\$0
	20	2035-2036	2035			\$0		\$0
	21	2036-2037	2036			\$0		\$0
	22	2037-2038	2037			\$0		\$0
	23	2038-2039	2038			\$2,400,000.00		\$2,400,000.00
	24	2039-2040	2039			\$4,800,000.00		\$4,800,000.00
	25	2040-2041	2040			\$2,400,000.00		\$2,400,000.00

\* All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the first row.

\*\* Only investment made during deferrals of the start of the limitation (after the end of qualifying time period but before the start of the Value Limitation Period) should be included in the "year prior to start of value limitation period" row(s). If the limitation starts at the end of the qualifying time period or the qualifying time period overlaps the limitation, no investment should be included on this line.

\*\*\* If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period in years 1 and/or 2 of the value limitation period, depending on the overlap. Only include investments/years that were not captured on Schedule A1.

For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.

Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

## Schedule B: Estimated Market And Taxable Value (of Qualified Property Only)

Applicant Name

WEST TEXAS SOLAR I, LLC

Form 50-296A

ISD Name

Iraan-Sheffield Independent School District

Revised Feb 2014

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Estimated Taxable Value		
				Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new buildings or "in or on the new improvements"	Market Value less any exemptions (such as pollution control) and before limitation	Final taxable value for I&S after all reductions	Final taxable value for M&O after all reductions
Prior Years	0	2014-2015	2014	\$0	\$0	\$0	\$0	\$0	\$0
Prior Years	0	2015-2016	2015	\$0	\$0	\$0	\$0	\$0.00	\$0.00
Value Limitation Period	1	2016-2017	2016	\$0	\$275,000,000.00	\$0	\$0	\$275,000,000.00	\$25,000,000.00
	2	2017-2018	2017	\$0	\$233,750,000.00	\$0	\$0	\$233,750,000.00	\$25,000,000.00
	3	2018-2019	2018	\$0	\$198,687,500.00	\$0	\$0	\$198,687,500.00	\$25,000,000.00
	4	2019-2020	2019	\$0	\$168,884,375.00	\$0	\$0	\$168,884,375.00	\$25,000,000.00
	5	2020-2021	2020	\$0	\$143,551,718.75	\$0	\$0	\$143,551,718.75	\$25,000,000.00
	6	2021-2022	2021	\$0	\$122,018,960.94	\$0	\$0	\$122,018,960.94	\$25,000,000.00
	7	2022-2023	2022	\$0	\$103,716,116.80	\$0	\$0	\$103,716,116.80	\$25,000,000.00
	8	2023-2024	2023	\$0	\$88,158,699.28	\$0	\$0	\$88,158,699.28	\$25,000,000.00
	9	2024-2025	2024	\$0	\$74,934,894.39	\$0	\$0	\$74,934,894.39	\$25,000,000.00
	10	2025-2026	2025	\$0	\$63,694,660.23	\$0	\$0	\$63,694,660.23	\$25,000,000.00
Continue to maintain viable presence	11	2026-2027	2026	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	12	2027-2028	2027	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	13	2028-2029	2028	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	14	2029-2030	2029	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	15	2030-2031	2030	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2031-2032	2031	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	17	2032-2033	2032	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	18	2033-2034	2033	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	19	2034-2035	2034	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	20	2035-2036	2035	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	21	2036-2037	2036	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	22	2037-2038	2037	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	23	2038-2039	2038	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	24	2039-2040	2039	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00
	25	2040-2041	2040	\$0	\$55,000,000.00	\$0	\$0	\$55,000,000.00	\$55,000,000.00

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation.

Only include market value for eligible property on this schedule.



**Schedule C: Employment Information**

**Applicant Name** WEST TEXAS SOLAR I, LLC  
**ISD Name** Iraan-Sheffield Independent School District

**Form 50-296A**

Revised Feb 2014

				Construction		Non-Qualifying Jobs	Qualifying Jobs	
	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year)	Column A	Column B	Column C	Column D	Column E
				Number of Construction FTE's or man-hours (specify)	Average annual wage rates for construction workers	Number of non-qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Average annual wage of new qualifying jobs
Prior Years	0	2014-2015	2014	0	N/A	0	0	N/A
Prior Years	0	2015-2016	2015	200 FTE avg; 450 FTE peak	\$37,534.00	0	0	N/A
Value Limitation Period <small>The qualifying time period could overlap the value limitation period.</small>	1	2016-2017	2016	0	N/A	0	2	\$37,000.00
	2	2017-2018	2017	0	N/A	0	2	\$37,000.00
	3	2018-2019	2018	0	N/A	0	2	\$37,000.00
	4	2019-2020	2019	0	N/A	0	2	\$37,000.00
	5	2020-2021	2020	0	N/A	0	2	\$37,000.00
	6	2021-2022	2021	0	N/A	0	2	\$37,000.00
	7	2022-2023	2022	0	N/A	0	2	\$37,000.00
	8	2023-2024	2023	0	N/A	0	2	\$37,000.00
	9	2024-2025	2024	0	N/A	0	2	\$37,000.00
	10	2025-2026	2025	0	N/A	0	2	\$37,000.00
Years Following Value Limitation Period	11 through 25	2026-2041	2026-2040	0	N/A	0	2	\$37,000.00

Notes: See TAC 9.1051 for definition of non-qualifying jobs.  
 Only include jobs on the project site in this school district.

**C1.** Are the cumulative number of qualifying jobs listed in Column D less than the number of qualifying jobs required by statute? (25 qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts)

If yes, answer the following two questions:

**C1a.** Will the applicant request a job waiver, as provided under 313.025(f-1)?

**C1b.** Will the applicant avail itself of the provision in 313.021(3)(F)?

☒

Yes

☐

No

☒

Yes

☐

No

☐

Yes

☒

No

**Schedule D: Other Incentives (Estimated)**

**Applicant Name**

WEST TEXAS SOLAR I, LLC

**Form 50-296A**

**ISD Name**

Iraan-Sheffield Independent School District

*Revised Feb 2014*

**State and Local Incentives for which the Applicant intends to apply (Estimated)**

Incentive Description	Taxing Entity applicable)	(as	Beginning Year of Benefit	Duration of Benefit	Annual Tax Levy without Incentive	Annual Incentive	Annual Net Tax Levy
Tax Code Chapter 311	County:						
	City:						
	Other:						
Tax Code Chapter 312	County: Pecos County		2016	2016-2025	\$643,179.24	\$329,769.80	\$324,171.84
	Other: Iraan General Hospital		2016	2016-2025	\$174,234.60	\$89,333.28	\$84,901.32
	Other: Middle Pecos Groundwater Conservation District		2016	2016-2025	\$22,973.96	\$11,779.16	\$11,194.80
	Other: Midland College		2016	2016-2025	\$23,433.44	12,014.76	\$11,418.68
Local Government Code Chapters 380/381	County:						
	City:						
	Other:						
Freeport Exemptions							
Non-Annexation Agreements							
Enterprise Zone/Project							
Economic Development Corporation							
Texas Enterprise Fund							
Employee Recruitment							
Skills Development Fund							
Training Facility Space and Equipment							
Infrastructure Incentives							
Permitting Assistance							
Other:							
Other:							
Other:							
Other:							
<b>TOTAL</b>					<b>\$863,821.24</b>	<b>\$442,897.00</b>	<b>\$431,686.64</b>

Additional information on incentives for this project: 25 Year Average was used to adjust for depreciation of facility

**TAB 15**

***Economic Impact***

West Texas Solar 1 LLC will not be including an Economic Impact Report.



**TAB 16**

***Description of Reinvestment Zone, including:***

- A. Evidence that the area qualifies as an reinvestment zone***
- B. Legal description of the reinvestment zone***
- C. Order, resolution or ordinance establishing the reinvestment zone***
- D. Guidelines and criteria for creating the zone***

**RESOLUTION OF THE  
PECOS COUNTY COMMISSIONERS COURT**

**A RESOLUTION DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR TEXAS TAX CODE CHAPTER 312 TAX ABATEMENT IN PORTIONS OF PECOS COUNTY, TEXAS, TO BE KNOWN AS THE "WALA" REINVESTMENT ZONE; ESTABLISHING THE BOUNDARIES THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Pecos County, Texas, desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone as authorized by the Property Redevelopment and Tax Abatement Act, as amended (V.T.C.A. Texas Tax Code § 312.401), for the purpose of authorizing a Tax Abatement Agreement, as authorized by Chapter 312 of the Texas Tax Code; and,

**WHEREAS**, Pecos County, Texas, (the "County") desires to encourage the retention or expansion of primary employment and to attract major investment in the County that would be a benefit to property in a reinvestment zone created by the County and that would contribute to the economic development of the County;

**WHEREAS**, on July 14, 2014, the Pecos County Commissioners Court held a hearing, such date being at least seven (7) days after the date of publication of the notice of such public hearing, and the delivery of written notice to the respective presiding officers of each taxing entity which includes within its boundaries real property that is to be included in the proposed reinvestment zone as described on EXHIBIT A and mapped on EXHIBIT B; and,

**WHEREAS**, the Pecos County Commissioners Court at such public hearing invited any interested person to appear and speak for or against (1) the creation of the reinvestment zone, and whether all or part of the territory described should be included in the proposed reinvestment zone, and (2) acceptance of an Application for Tax Abatement by WEST TEXAS SOLAR 1 LLC, for Pecos County to consider entering into a Tax Abatement Agreement;

**WHEREAS**, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone and opponents, if any, of the reinvestment zone appeared to contest the creation of the reinvestment zone;

**WHEREAS**, the County wishes to (1) create a reinvestment zone consisting of the same real property as described on EXHIBIT A and mapped on EXHIBIT B, and (2) accept the Application for Tax Abatement by WEST TEXAS SOLAR 1 LLC.

**NOW THEREFORE, BE IT RESOLVED BY THE PECOS COUNTY COMMISSIONERS COURT:**

**SECTION 1.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

**SECTION 2.** That the Pecos County Commissioners Court, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on the adoption of the "Wala" Reinvestment Zone has been properly called, held, and conducted, and that notices of such hearing have been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and,
- (b) That the boundaries of the "Wala" Reinvestment Zone be and, by the adoption of this Resolution, are declared and certified to be, the area as described in the description attached hereto as "EXHIBIT A"; and,
- (c) That the map attached hereto as "EXHIBIT B" is declared to be and (by the adoption of this Resolution) is certified to depict and to show accurately the boundaries of the "Wala" Reinvestment Zone, which is normatively described in "EXHIBIT A", and further certifies that the property described in "EXHIBIT A" is inside the boundaries shown on "EXHIBIT B"; and,
- (d) That creation of the "Wala" Reinvestment Zone with boundaries as described in "EXHIBIT A" and "EXHIBIT B" will result in benefits to Pecos County and to land included in the zone, and that the improvements sought are feasible and practical; and,
- (e) That the "Wala" Reinvestment Zone described in "EXHIBIT A" and "EXHIBIT B" meets the criteria set forth in Texas Tax Code §312.401 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, in that it is reasonably likely that the designation will contribute to the retention or expansion of primary employment, and/or will attract major investment in the zone that will be a benefit to the property to be included in the reinvestment zone and would contribute to the economic development of Pecos County, Texas.

**SECTION 3.** That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, the Pecos County Commissioners Court, hereby creates a reinvestment zone under the provisions of Texas Tax Code § 312.401, encompassing the area described by the descriptions in "EXHIBIT A" and "EXHIBIT B", and such reinvestment zone is hereby designated and shall hereafter be referred to as the *Wala Reinvestment Zone*.

**SECTION 4.** That the *Wala Reinvestment Zone* shall take effect upon adoption by the County Commissioners Court and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of such designation.



**SECTION 5.** That the Pecos County Commissioners Court already has found and resolved that Pecos County is eligible to enter into tax abatement agreements.

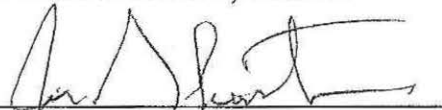
**SECTION 6.** That the Pecos County Commissioners Court accepts the Application for Tax Abatement submitted by WEST TEXAS SOLAR 1 LLC.

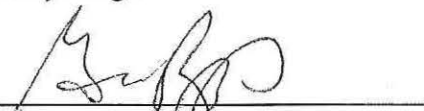
**SECTION 7.** That if any section, paragraph, clause, or provision of this resolution shall for any reason beheld to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.


**SECTION 8.** That it is hereby found, determined, and declared that a sufficient notice of the date, hour, place, and subject of the meeting of the Pecos County Commissioners Court, at which this resolution was adopted, was posted at a place convenient and readily accessible at all times, as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended; and that a public hearing was held prior to the designation of such reinvestment zone, and that proper notice of the hearing was published in newspapers of general circulation in Pecos County of the State of Texas; and that, furthermore, such notice was in fact delivered to the presiding officer of any effected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

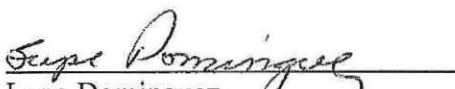
**PASSED, APPROVED, AND ADOPTED** on this 14th day of July, 2014.

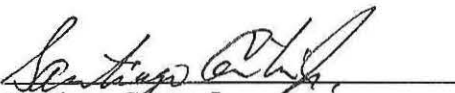
**PECOS COUNTY, TEXAS**

By:   
The Honorable Joe Shuster  
County Judge

By:   
George Riggs  
Commissioner, Precinct 1

By:   
J.H. Kent  
Commissioner, Precinct 3

By:   
Lupe Dominguez  
Commissioner, Precinct 2

By:   
Santiago Cantu, Jr.  
Commissioner, Precinct 4

**EXHIBIT A**  
**LEGAL DESCRIPTION OF "WALA"**  
**REINVESTMENT ZONE**

**LEGAL DESCRIPTION:** BEING 1918.005 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF SECTION 44 1/2, CHARLES GRAEF SURVEY, ABSTRACT NO. 8435, THE WEST-PART OF SECTION 74, BLOCK 194, ABSTRACT NO. 8431, G.C. & S.F. RR Co. SURVEY, SECTION 73, BLOCK 194, ABSTRACT NO. 5015, G.C. & S.F. RR Co. SURVEY, SECTION 8, BLOCK 12, ABSTRACT NO. 5614, H. & G.N. RR Co. SURVEY, AND SECTION 9, BLOCK 12, H. & G.N. RR Co. SURVEY, ALL IN PECOS COUNTY, TEXAS, AND BEING THE RESIDUE OF THAT SAME TRACT CONVEYED TO JOHN E. HARRIS, JR. AND MARILYN HARRIS BY DEED RECORDED IN VOLUME 30, PAGE 18 AND VOLUME 32, PAGE 774 OF THE OFFICIAL PUBLIC RECORDS OF PECOS COUNTY, TEXAS, AND A PORTION OF TRACT 1 AND ALL OF TRACTS 2, 3, 4 AND 5 AS CONVEYED BY DEED TO THE GUNTER PEANUT CO., INC. AND JEFF CART BY DEED RECORDED IN VOLUME 742, PAGE 78 OF THE DEED RECORDS OF PECOS COUNTY, TEXAS; SAID 1918.005 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS 1919.101 ACRES OF LAND, SAVE AND EXCEPT THAT CERTAIN 1.10 ACRE TRACT, FOUND TO CONTAIN 1.096 ACRES OF LAND, CONVEYED TO WEST TEXAS UTILITIES CO. BY DEED RECORDED IN VOLUME 550, PAGE 255 OF SAID DEED RECORDS, AND AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN MAY THRU JUNE, 2014:

**BEGINNING** at a 1 1/4 inch iron pipe found for the southeast corner of Section 44 of said Block 12 and an interior corner of said Section 44 1/2 and an interior corner hereof;

THENCE North 11°47'01" East a distance of 4073.79 feet along the common line of said Sections 44 and 44 1/2 to a 1 1/2 inch iron pipe found for the northerly northwest corner of said Section 44 1/2 and the southwest corner of said West-Part of Section 74 and an angle point hereof;

THENCE North 11°53'54" East a distance of 4154.43 feet along the common line of said Sections 44 and 74 and the common line of Section 43 of said Block 12 and said Section 74 to 1 1/2 inch iron pipe found for the northwest corner of said West-Part of Section 74 and the southwest corner of said Section 73;

THENCE North 11°46'49" East a distance of 9152.78 feet along the common line of said Sections 43 and 73, the common line of Section 7 of said Block 12 and said Section 73 and the common line of said Sections 7 and 8 to a point for the southwest corner of that certain 163.10 acre tract conveyed to John and Marilyn Harris by deed recorded in Volume 32, Page 772 of said official public records and the northwest corner of said Gunter Tract 4 and hereof and from which a 1 1/2 inch iron pipe found for the northerly common corner of said Sections 7 and 8 bears North 11°46'49" East a distance of 3831.54 feet along said common line;

THENCE South 78°07'57" East a distance of 2641.67 feet along the south line of said 163.10 acre tract to a point in the common line of said Section 9 and said Section 8 for the southeast corner of said 163.10 acre tract, the northeast corner of said Gunter Tract 4, and an ell corner hereof and from which a 5/8 inch iron rod found as the accepted northerly common corner of said Sections 8 and 9 bears North 11°48'14" East a distance of 6798.96 feet along said common line;

THENCE South 11°48'14" West a distance of 1175.15 feet along the common line of said Sections 8 and 9 to a point for the southwest corner of that certain 160 acre tract conveyed as Tract Four to Jerry V.



Durant by deed recorded in Volume 786, Page 608 of said deed records, the northwest corner of said Gunter Tract 5 and an interior corner hereof;

THENCE South 78°35'18" East along the south line of said Durant tract, passing at a distance of 29.33 feet a ½ inch iron rod with cap found for reference, continuing in all a distance of 2642.00 feet to a 1 ½ inch iron pipe found in the common line of Section 10 of said Block 12 and said Section 9 for the southeast corner of said Durant tract, the northeast corner of said Gunter Tract 5 and an ell corner hereof;

THENCE South 11°48'14" West a distance of 2139.77 feet along the common line of said Sections 9 and 10 to a point for an ell corner of said Section 73, the southwest corner of said Section 10 and an interior corner hereof;

THENCE South 78°11'26" East along the common line of said Sections 10 and 73, passing at a distance of 0.90 feet a 6 inch cedar fence corner post, continuing in all a distance of 594.42 feet to a point for the northwest corner of that certain 3.90 acre tract conveyed as Group Three to James Jepson by deed recorded in Volume 821, Page 248 of said deed records and an ell corner hereof and from which a 6 inch cedar fence corner post found for the northeast corner of said Section 73 bears South 78°11'26" East a distance of 30.00 feet along said common line;

THENCE along the westerly lines of said 3.90 acre tract the following four (4) calls:

1. South 11°51'30" West a distance of 2549.97 feet to a point for an angle point;
2. South 38°37'30" West a distance of 672.90 feet to a point for an angle point;
3. South 05°38'30" East a distance of 1007.60 feet to a point for an angle point;
4. South 11°51'30" West a distance of 1595.40 feet to a point in the north line of that certain 1 acre tract conveyed as Group Two to James Jepson by said deed recorded in Volume 821, Page 248 of said deed records for the southwest corner of said 3.90 acre tract and an ell corner hereof;

THENCE North 78°08'29" West a distance of 265.19 feet along the north line of said 1 acre tract to a point for the northwest corner of said 1 acre tract and an interior corner hereof;

THENCE South 11°51'30" West a distance of 147.88 feet along the west line of said 1 acre tract to a point in the common line of the East-Part of said Section 74 of said Block 194 and said Section 73 for the southwest corner of said 1 acre tract and an ell corner hereof and from which a 1 ½ inch iron pipe found for the southeast corner of said Section 73 bears South 78°11'45" East a distance of 295.20 feet along said common line;

THENCE North 78°11'45" West a distance of 2946.42 feet along said common line to a 1 ½ inch iron pipe found for the northwest corner of said East-Part of said Section 74, the northeast corner of said West-Part of said Section 74 and an interior corner hereof;

THENCE South 11°51'13" West a distance of 3651.92 feet along the common line of said East-Part and said West-Part of Section 74 to a 1 ½ inch iron pipe found in the north line of said Section 44 ½ for the southwest corner of said East-Part, the southeast corner of said West-Part and an interior corner hereof;

THENCE South 88°51'15" East a distance of 1341.94 feet along the common line of said East-Part and said Section 44 ½ to a cotton spindle found in the west line of Section 75 of said Block 194 for an ell corner of said East-Part, the northeast corner of said Section 44 ½ and an ell corner hereof;



THENCE South 01°03'16" West a distance of 4921.69 feet along the common line of said Sections 75 and 44 ½ and the common line of Section 80 of said Block 194 and said Section 44 ½ to a point in the north line of Section 4, Block 16, University Land, for the southwest corner of said Section 80, the southeast corner of said Section 44 ½ and the southerly southeast corner hereof and from which a 1 ¼ inch iron pipe found for reference bears South 88°35'30" East a distance of 85.93 feet along said north line;

THENCE North 88°35'30" West a distance of 3099.88 feet along the common line of said Sections 4 and 44 ½ to a 2 inch iron pipe found for the northerly common corner of Section 5 of said Block 16 and said Section 4 and an angle point hereof;

THENCE North 88°35'18" West a distance of 4113.41 feet along the common line of said Sections 5 and 44 ½ to a 120D nail found for the southeast corner of that certain 43.04 acre tract conveyed to LCRA Transmission Services Corporation by deed recorded in Volume 39, Page 193 of said official public records and the southwest corner of said Harris residue tract and hereof and from which a bolt found at a 2 inch iron pipe fence corner post for a replacement monument for the northerly common corner of Section 6 of said Block 16 and said Section 5 and the southwest corner of said Section 44 ½ bears North 88°35'18" West a distance of 1285.74 feet along said common line;

THENCE North 01°24'18" East a distance of 1338.49 feet along the east line of said LCRA tract to 2 inch iron pipe fence corner post found in the common line of said Sections 44 and 44 ½ for the northeast corner of said LCRA tract, the westerly northwest corner of said Harris residue tract, and an ell corner hereof and from which a ½ inch iron rod found for the southwest corner of said Section 44 bears North 78°08'14" West a distance of 2837.66 feet along said common line;

THENCE South 78°08'14" East a distance of 2440.55 feet along said common line of said Sections 44 and 44 ½ to the **POINT OF BEGINNING** and containing 1919.101 acres of land, more or less.

**SAVE AND EXCEPT SAID 1.10 ACRE TRACT CONVEYED TO SAID WEST TEXAS UTILITIES CO., FOUND TO CONTAIN 1.096 ACRES, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at a 2 inch iron pipe fence corner post found in the southeast r-o-w line of F.M. Highway 1901 for the west corner hereof and from which said 1 ¼ inch iron pipe found for the southeast corner of said Section 44 and an interior corner of said Section 44 ½ bears South 69°50'18" West a distance of 2358.23 feet;

THENCE North 41°45'36" East a distance of 164.95 feet along said r-o-w line to a 2 inch iron pipe fence corner post found for the north corner hereof;

THENCE South 51°08'33" East a distance of 289.91 feet to a 2 inch iron pipe fence corner post found for the east corner hereof;

THENCE South 41°47'35" West a distance of 164.87 feet to a 2 inch iron pipe fence corner post found for the south corner hereof;

THENCE North 51°09'30" West a distance of 289.82 feet to the **POINT OF BEGINNING** and containing 1.096 acres of land, more or less.

**LEAVING A TOTAL 1918.005 ACRES MORE OR LESS.**

**5.350 ACRES**

**LEGAL DESCRIPTION:** BEING 5.350 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF SECTION 73, BLOCK 194, ABSTRACT NO. 5015, G.C. & S.F. RR Co. SURVEY, IN PECOS COUNTY, TEXAS, AND BEING THE RESIDUE OF THAT CERTAIN TRACT 1 CONVEYED BY DEED TO THE GUNTER PEANUT CO., INC. AND JEFF CART BY DEED RECORDED IN VOLUME 742, PAGE 78 OF THE DEED RECORDS OF PECOS COUNTY, TEXAS; SAID 5.350 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN MAY THRU JUNE, 2014:

**BEGINNING** at a point in the common line of Section 72 of said Block 194 and said Section 73 for an angle point of that certain 3.90 acre tract conveyed as Group Three to James Jepson by deed recorded in Volume 821, Page 248 of said deed records and the south corner hereof and from which a 1 ½ inch iron pipe found for the southeast corner of said Section 73 bears South 11°51'31" West a distance of 1747.56 feet along the east line of said Section 73;

THENCE North 05°38'30" West a distance of 1000.04 feet along the east line of said 3.90 acre tract to a point for an angle point;

THENCE North 38°37'30" East a distance of 667.76 feet along the east line of said 3.90 acre tract to a point in said common section line for an angle point of said 3.90 acre tract and the north corner hereof and from which a 6 inch cedar fence corner post found for the northeast corner of said Section 73 bears North 11°51'31" East a distance of 2557.23 feet along said common line;

THENCE South 11°51'31" West a distance of 1549.97 feet along said common line to the **POINT OF BEGINNING** and containing 5.350 acres of land, more or less.

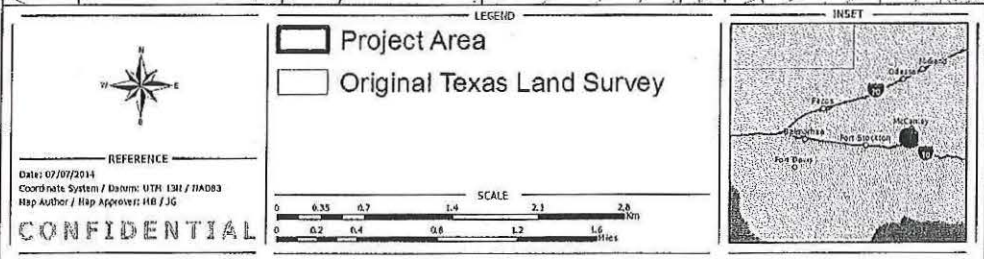
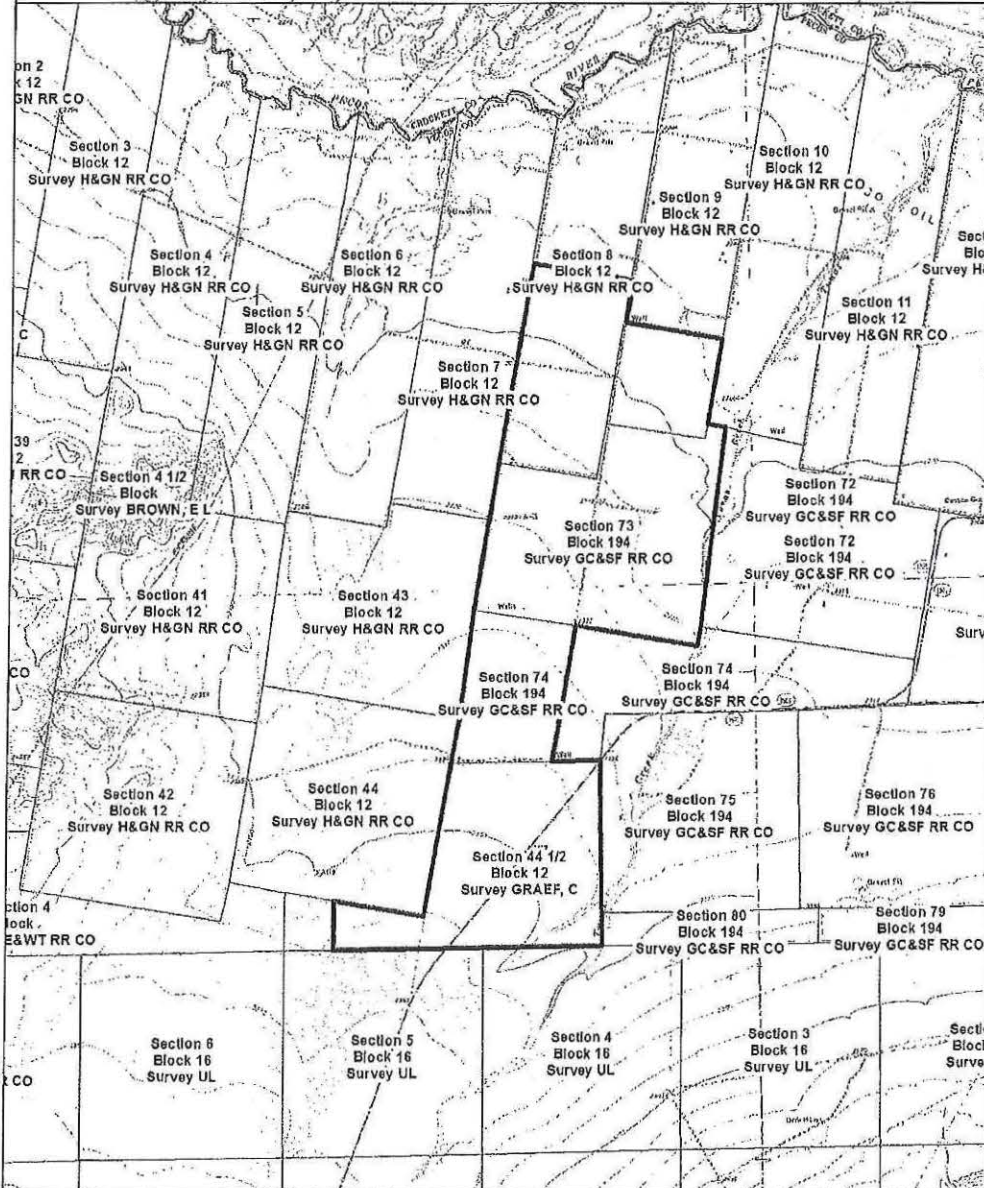
Note: Bearings, distances, and acreage shown hereon are Grid, NAD83(CORS96), Texas Central Zone and are based on NGS CORS/OPUS solutions. Iron rods set are 1/2 inch by 24 inch steel rebar with blue plastic caps marked "WATSON-5498".

**EXHIBIT B**  
**MAP OF "WALA"**  
**REINVESTMENT ZONE**



# West Texas Solar 1

Qualified Property, Reinvestment Zone, and Land Location Map



## PECOS COUNTY

### GUIDELINES AND CRITERIA FOR TAX ABATEMENT

#### I. PURPOSE

Pecos County, herein referred to as "the County," is committed to the promotion of quality development in all parts of the County and to improving the quality of life for its citizens. In order to help meet these goals, the County will consider recommending tax abatement to stimulate growth and development. Any such incentive shall be provided in accordance with the procedures and criteria outlined in this document. However, nothing in these guidelines shall imply or suggest, or be construed to imply or suggest, that the County is under any obligation to provide any incentive to any applicant. All such applications for tax abatement shall be considered on an individual basis with regard to both the qualification for abatement and the amount of any abatement.

#### II. DEFINITIONS

The attached Glossary is a list of words with their definitions that are found in this document, and the Glossary is incorporated herein by reference.

#### III. GUIDELINES AND CRITERIA

Improvements eligible for abatement include the following:

Aquaculture/agriculture facility,  
Distribution center facility,  
Manufacturing facility,  
Office building,  
Regional entertainment/ tourism facility,  
Renewable power facility and fixtures,  
Research facility,  
Historic building in a designated area, or  
Other basic industry.

Requests for abatement will be evaluated according to factors including, but not limited to, the following:

- (1) Jobs. Projected new jobs created, including the number and type of new jobs, the number and type of jobs retained, the average payroll, and the number of local persons hired.



- (2) Fiscal Impact. The amount of real and personal property value that will be added to the tax roll for both eligible and ineligible property, any County financed infrastructure improvements that will be required by the facility, any infrastructure improvements proposed to be made by the facility, and the compatibility of the project with the County's master plan for development.
- (3) Community Impact. The pollution, if any, as well as other potential negative environmental impact on the health and safety of the community resulting from the proposed project; whether the project will revitalize a depressed area; potential business opportunities for local vendors; alternative development possibilities for the proposed site; the impact on other taxing entities; and/or whether the improvement is expected to solely or primarily have the effect of transferring employment from one part of Pecos County to another.

#### IV. ABATEMENT AUTHORIZED

- (a) Authorized Date. A facility shall be eligible for tax abatement if it has applied for such abatement prior to the commencement of construction: provided, that such facility meets the criteria for granting tax abatement in reinvestment zones created by Pecos County pursuant to these Guidelines and Criteria. Property may be exempted from taxation under these guidelines for a period not to exceed the statutory limitations.
- (b) Creation of New Value. Abatement may only be granted for the additional value of or increase in value to eligible improvements made subsequent to the filing of an application for tax abatement and specified in the abatement agreement between the County and the property owner or lessee and lessor, subject to such limitations as the Tax Abatement Statute and these Guidelines and Criteria may require.
- (c) New and Existing Facilities. Abatement may be granted for new facilities and improvements to existing facilities for purposes of modernization or expansion. If the modernization project includes replacement of a facility existing at the time of application, the abated value shall be the value of the new unit(s) less the value of the old unit(s).
- (d) Eligible Property. Abatement may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements, and office space and related fixed improvements necessary to the operation and administration of the facility.



- (e) Ineligible Property. The following types of property shall be fully taxable and ineligible for abatement:

land,  
animals,  
inventories,  
supplies,  
tools,  
furnishings, and other forms of movable personal property (except as provided below),  
vehicles,  
vessels,  
aircraft,  
housing or residential property,  
hotels/motels,  
fauna,  
flora,  
retail facilities, except when housed in an historic structure, within the designated downtown district,  
any improvements including those involved in the production, storage or distribution of natural gas or fluids that are not integral to the operation of the facility, and

Property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas. This provision shall not be interpreted to disallow abatement for property located in the Pecos County Industrial Park. Nor shall this provision be interpreted to disallow abatement where the eligible property to be abated may be located on or affixed to land owned by the State or a subdivision of the State, but is wholly owned by the party seeking the abatement.

Equipment constituting personal property located in the reinvestment zone shall remain eligible for abatement provided the equipment is awaiting installation to become a permanent part of a fixture located or to be constructed in the reinvestment zone that is or will be eligible for property tax abatement, including any replacement parts.

- (f) Owned/Leased Facilities. If leased property is granted abatement, the agreement shall be executed with the lessor and lessee. If the eligible property to be abated is located on or affixed to leased land, but is wholly owned by the party seeking the abatement, the agreement shall be executed only with the owner of the property to be abated.

- (g) Value and Term of Abatement. Abatement shall be granted effective with the January 1 valuation date immediately following the date of execution of the agreement. The value of new eligible properties shall be abated according to the approved agreement between the applicant and the governing body. The governing body, in its sole discretion, shall determine the amount of any abatement.

The abatement may be extended from the date of the initial agreement by modification provided the statutory requirements for modification are met.

- (h) Construction in Progress. If a qualifying facility has not been placed in service as of January 1 following execution of the abatement agreement, the taxpayer may apply for a one-year extension of the term of abatement. Said extension must be applied for prior to the end of the calendar year in which the abatement agreement is executed.
- (i) Taxability. From the execution of the abatement contract to the end of the agreement period, taxes shall be payable as follows:
  - (1) The value of ineligible property as provided in Part IV(e) shall be fully taxable.
  - (2) The base year value of existing eligible property, meaning the value of the property for the year in which the abatement agreement is executed, shall be fully taxable.
  - (3) The additional value of eligible property shall be taxable as provided for by the applicable abatement agreement between the owner and the County.

## V. APPLICATION FOR TAX ABATEMENT

- (a) Any present or potential owner of taxable property in Pecos County may request the creation of a reinvestment zone and tax abatement by filing a written request with the County.
- (b) The application shall consist of a completed application form accompanied by:
  - (1) a general description of the proposed use and the general nature and extent of the modernization, expansion or new improvements to be undertaken;

- (2) a descriptive list of the improvements that will be a part of the facility;
  - (3) a map and property description or a site plan;
  - (4) a time schedule for undertaking and completing the planned improvements;
  - (5) for modernized facilities, a statement of the assessed value of the facility, separately stated for real and personal property, for the tax year immediately preceding the application; and,
  - (6) Financial and other information as deemed appropriate for evaluating the financial capacity and other factors of the applicant.
- (c) Upon receipt of a completed application, the County receiving such application shall notify in writing the presiding officer of the legislative body of each affected jurisdiction. Before acting upon the application, the County shall through public hearings as described below afford the applicant and the designated representative of any affected jurisdiction and any member of the public the opportunity to show cause why the abatement should or should not be granted. Notice of the public hearing shall be clearly identified on an agenda of the legislative body of the County to be posted at least twenty (20) days prior to the hearing.
- (d) The County shall approve or deny the application for tax abatement within sixty (60) days after receipt of the application. The presiding officer of the County shall notify the applicant of the approval or disapproval promptly thereafter.
- (e) Statutory Requirements: Not later than the seventh (7th) day before the date of the hearing, notice of the hearing must be: (1) delivered in writing to the presiding officer of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone, and (2) published in a newspaper of general circulation in the County. At the hearing, the Commissioners Court evaluates the application against the criteria described in these guidelines and decides by majority vote whether to designate the property for which the abatement is sought as a reinvestment zone. If the reinvestment zone is designated, the Commissioners Court shall pass an order to that effect. An order designating an area as a reinvestment zone is valid for five years from the date of designation. Once the area is designated as a reinvestment zone, the Commissioners Court may then arrange to consider for approval of the tax abatement agreement between the applicant and the county, which it may do at any regularly scheduled meeting, provided notice requirements



are met. At least seven days prior to entering into a tax abatement agreement, the County must give written notice of its intent to do so to the presiding officer of each taxing unit that includes in its boundaries real property that is to be included in the proposed reinvestment zone, along with a copy of the proposed tax abatement agreement. At the regularly scheduled meeting, the Commissioners Court may finally vote by simple majority to enter into the tax abatement agreement, or to decline.

- (f) Expedited consideration of application. If the County determines that the application should receive expedited consideration, the Commissioners Court may combine the steps described in the preceding paragraph into a single, regularly scheduled meeting of the Commissioners Court, provided the County meets the procedural prerequisites for each step.
- (g) A request for a reinvestment zone for the purpose of abatement shall not be granted if the County finds that the request for the abatement was filed after commencement of construction, alteration, or installation of improvements related to a proposed modernization, expansion, or new facility.
- (h) Variance. Requests for variance from the provisions of Subsections (a) through (e) of Part IV may be made in written form to the County Commissioners Court. Such request shall include a complete description of the circumstances explaining why the applicant should be granted a variance. Approval of the request for variance requires a three-fourths (3/4) vote of the County Commissioners Court.

## VI. PUBLIC HEARING

- (a) If, after a public hearing, the County Commissioners Court weighs the relevant factors listed in these guidelines and determines that granting the abatement is not in the best interests of the County, the Court shall deny the abatement.
- (b) Neither a reinvestment zone nor an abatement agreement shall be authorized if it is determined that:
  - (1) There would be a substantial and unreasonable adverse affect on the provision of government services or the overall tax base of the County.
  - (2) The applicant has insufficient financial capacity.
  - (3) Planned or potential use of the property would constitute a hazard to public safety, health, or morals.

- (4) Planned or potential use of the property violates any other governmental codes or any applicable law.

## VII. AGREEMENT

- (a) After approval of the tax abatement application, the County shall formally pass a resolution and execute an agreement with the owner of the facility and the lessee involved, if any, which shall include:
  - (1) Estimated value to be abated and the base year value.
  - (2) Percent of value to be abated each year.
  - (3) The commencement date and the termination date of abatement.
  - (4) The proposed use of the facility, nature of construction, time schedule for undertaking and completing the planned improvements, map, property description, and improvements list.
  - (5) Contractual obligations in the event of default, including a provision for cancellation and recapture of delinquent taxes, provisions for administration and assignment as provided herein, and any other provision that may be required for uniformity or by state law.
  - (6) Performance criteria for continuation of the abatement.
  - (7) Amount of investment and average number of jobs involved for the period of abatement.
  - (8) A provision that the contract shall meet all of the requirements of Texas Tax Code Sec. 312, et. seq.
- (b) Such agreement shall be executed within sixty (60) days after approval of the agreement.
- (c) The County shall make its own determination of abatement which shall not bind any other affected taxing entity.

## VIII. RECAPTURE

- (a) In the event that the facility is completed and begins producing product or service, but subsequently discontinues production of product or service for any reason other than fire, explosion, or other casualty or accident or natural disaster for a period of more than one (1) year during the

abatement period, then the agreement shall terminate and so shall the abatement of taxes for the calendar year during which the agreement is terminated. The taxes otherwise abated for that calendar year shall be paid to the County within sixty (60) days from the date of termination.

- (b) Should the County determine that the owner is in default of the agreement, the County shall notify the owner of the defect in writing at the address stated in the agreement, and if such defect is not cured within sixty (60) days from the date of such notice ("Cure Period"), then the agreement shall be terminated. Where cure of the proposed defect requires action undertaken over a period of time, the contract will not be considered to be in default if the performing party has undertaken efforts to cure the defect and is diligently pursuing those efforts.
- (c) In the event that the company or individual:
  - (1) allows its ad valorem taxes owed the County to become delinquent, and to remain delinquent for a period of thirty (30) days following notice of the delinquency without instituting proper legal procedures for their protest and/or contest; or
  - (2) violates in a way any of the terms and conditions of the abatement agreement and fails to cure same during the Cure Period;

the agreement shall be terminated and all taxes previously abated by virtue of the agreement will be recaptured and paid within sixty (60) days of the termination. A failure to abide by estimated timelines for construction will not be considered to be a material breach of this agreement, provided the owner makes a reasonable effort to meet the estimated timeline.

## IX. ADMINISTRATION

- (a) The Chief Appraiser of the Pecos County Appraisal District shall annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year the company or individual receiving the abatement shall furnish the designee of the County with such information as may be necessary to determine continued eligibility for abatement. Once the value has been established, the Chief Appraiser shall notify the County of the amount of assessment. Additionally, the County designee shall notify the County of the number of new or retained employees associated with the facility or generated by the abatement agreement. Once value has been established, the Chief Appraiser shall notify the affected taxing jurisdictions of the amount of the assessment.



- (b) The agreement shall stipulate that employees and/or designated representatives of the County will have access to the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such manner as to prevent unreasonable interference with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the owner in accordance with its safety standards.
- (c) Upon completion of construction the County shall annually evaluate each facility and report possible violations of the contract and/or agreement to the County.
- (d) All proprietary information acquired by the County for purposes of monitoring compliance with the terms and conditions of an abatement agreement shall be considered confidential.

#### X. ASSIGNMENT

- (a) Abatement may be transferred and assigned by the owner to a new owner of the same property upon approval by resolution of the County Commissioners Court, subject to the financial capacity of the assignee and provided that the agreement is modified to substitute the assignee as a party to the agreement.
- (b) Any such modification shall not exceed the termination date of the abatement agreement with the original owner.
- (c) No assignment or transfer shall be approved if either the parties to the existing agreement or the proposed assignee is liable to the County for outstanding taxes or other obligations.
- (d) Approval shall not be unreasonably withheld. Upon a finding that the proposed assignee is capable of performing the obligations under the agreement, financially and otherwise, approval of the assignment will not be withheld.

#### XI. SUNSET PROVISION

- (a) These guidelines are effective upon the date of their adoption and will remain in force for two (2) years, at which time all reinvestment zones and tax abatement contracts created pursuant to its agreements will be reviewed by the County to determine whether the goals of these guidelines

and the Tax Abatement Statute have been achieved. Based on that review, these guidelines may be modified, renewed or eliminated. Such actions shall not affect existing contracts.

- (b) Prior to the date for review, as defined above, these Guidelines may be modified by a two-thirds (2/3) vote of the County Commissioners Court, as provided for by the laws of the State of Texas.

## XII. SEVERABILITY AND LIMITATIONS

- (a) In the event that any section, clause, sentence, paragraph, or any part of these guidelines is, for any reason, adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, impair, or invalidate the remainder of the guidelines.
- (b) Property that is in a reinvestment zone and that is owned or leased by a member of the County Commissioners Court is excluded from property tax abatement.
- (c) If this Guideline Statement has omitted any mandatory requirement of the applicable tax abatement laws of the State of Texas, then such requirement is hereby incorporated as a part of these guidelines.

XIII. These Guidelines and Criteria do not affect the County's right to enter into abatement agreements for property located within the City of Fort Stockton pursuant to the existing agreement between the County and the City, regardless of whether such abatement agreements meet the criteria announced by these Guidelines.